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RETURN

(Central Prison
with Correspondence)

To an address of the Legislative Assembly to the Lieutenant-Governor praying that he will cause to be laid before the House copies of the Report made by the Provincial Secretary and the Inspector of Prisons regarding the internal management of the Central Prison as the result of any investigation by them, together with a copy of the evidence taken upon the investigation.

By Command,

S. C. WOOD
Secretary

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 16th, 1877

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
TORONTO, 30th December 1876.

MEMORANDUM.

The undersigned having investigated the charges made against Chief Guard Bannerman by the Warden of the Central Prison, finds that the accusation of the Chief Guard by the Warden, and his subsequent dismissal, were fully justified.

S. C. WOOD,
Provincial Secretary.

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 13th September, 1875

The Complaint against Chief Guard.

SIR,—I have the honour to transmit to you for your information a communication addressed to me by *Prisoner* Guard Patrick Wall preferring various charges against Chief Guard Bannerman, and to inform you that with reference to the first subject of complaint I disposed of it as follows:—"That the Chief Guard was guilty of improper conduct, in administering the agony of Guard Wall from the power in the Sunday in question, in (the Chief Guard) having no power to do so, the guard not being on actual duty at the time. That the proper action of the Chief Guard should have been to have given Guard Wall his orders, and if they were not complied with, to have charged the guard before the Warden with "disobedience of orders."

With reference to the other charges preferred by Guard Wall, I declined to receive the said report in writing, as the charges were not made within twenty-four hours of the occurrence complained of. I have further to add that prior to my taking up the matter, the Chief Guard stated to me that Guard Wall had expressed a desire to withdraw his complaint that of course I had no alternative left.

I have the honour to be,
Your obedient servant,
W. H. Prentice,
Warder.

To the Inspector of Prisons.

P. S.—Since writing the above, it has been reported to me that the Chief Guard sent for Guard Wall and asked him to withdraw his communication made to the Warden, as it would cause him an Inquiry. Upon receiving his report I questioned Guard Wall as to whether it was correct or not. The guard in reply stated as to what he was sent for as the other by the Chief Guard, and solicited by him to withdraw the letter, as the result would cost him his Pension. These proceedings on the part of a Chief Executive Officer of a prison and his subordinates, I think perfectly improper and certainly tend to corroborate the statement of Guard Wall. I find the Chief Guard's conduct were the guards is merely a memorial are, and that it cannot be expected that such a man would have the authority of a Chief Guard.

W. H. Prentice,
Warder.

Criminal Prisons,
Monday 6th Sept., 1875.

To the Warden.

Sir,—I wish to bring to your notice the extraordinary conduct of Chief Guard Beaumont, on Sunday last, in detaining me as prisoner, and prohibiting me from attending the route to take agreed from this building, when not on duty), which I consider myself entitled to both as guard and a prisoner. I am not so apt in such relations unbecoming each another, and even if such authority existed, I should imagine that while you were on the premises the proper course to adopt would be to find, acquaint you, and not to act contrary to your instructions.

I also beg to inform you that this above conduct inspires strange, from not supposing me a 2nd fiddle for a respectable man requesting him to do something unbecoming, as to my knowledge and to the knowledge of every guard in the Prison (which can be testified upon), could be to a personal state of drunkenness when at last he carried over the Chief Guard's instructions, and I firmly believe that when we were dismissed for duty on Sunday, and he drew out him to do it, he went to the Chief and says I don't say such for sure: the actual message and another man put on. One instance—Saturday last Guard Gilford was detailed and subsequently likewise as his place he did not report them things as he said anything as far as I am me, for he is in the power of every man in the institution, consequently it cannot be expected that such a man can exercise the authority of Chief Guard.

But when this Deputy Chief Guard wants a guard for duty he knows he must do it another are there any practical jokes carried on the reason being that the man is always sober and capable of giving and receiving orders. With reference to what I have stated concerning the habits of Mr Beaumont, I can readily bear out, and on any guardian general

I am, Sir,
Your obedient servant,
Patrick Wall.

Re Charges against Chief Guard, Central Prison.

Toronto, Sept. 10, 1878.

SIR,—I have the honor to inform you that it is my intention to investigate into charges of drunkenness and irregular conduct that have been preferred against you as Chief Guard of the Central Prison.

I have the honor to be, Sir,

Your obedient Servant,

J. W. LANGMUIR,
Inspector.

Chief Guard Robinson,
Central Prison.

WARDEN'S OFFICE,
CENTRAL PRISON OF ONTARIO,
Toronto, 20th Sept., 1878.

Minutes of an investigation held by the Inspector of Prisons, into certain charges preferred by guard Patrick Wall against Chief Guard Robinson, connected with the Central Prison, on the 10th September.

PATRICK WALL being sworn, deposed as follows:—I am a guard in the Central Prison: was appointed as temporary guard on the 7th March, 1877, and on the 8th of May was permanently confirmed in the position. On the 8th of September (Sunday), or going into the dormitory in the guard-room, I found a lot of drinking, what I thought was ginger-beer as a joke. I threw that into the hard stones, the weather it is short time after, that Chief Guard asked me if I had thrown them out, and asked me to go out and pick them up. I said I did not hold him aware of the other grounds but the latter ought to do so. I then proceeded to go out of the prison, as I was not on police duty but as going in the guard door on the north, which is the proper way, I found it locked, and the Chief Guard informed me I could not go out. I then went back to the guard-room, and remained there until 2 p.m., when I went into the town. I reported the matter to the Warden verbally on Monday, and on Tuesday morning I put in the written statement now produced and marked No. 1. With regard to the statements made in the paper in regard to the intemperate habits of Chief Guard Robinson, I never to mean now again said. I believe the Chief Guard, Mr. Turnbull and the guards generally, that I reported to the Warden my detention in the guard-room, also in regard to the intemperate habits of Mr. Robinson. On Tuesday or Wednesday Guard Lydcker came to me and told me that Mr. Robinson wished me to withdraw the charges I had made against him in respect of the drinking habits. I told to Lydcker that I did not care whether they were withdrawn or not, as it was the truth.

On the following morning after the above-stated to with Lydcker, Mr. Robinson came in to me and the Chief Guard stated to me as to the Warden's office. I went to him, when he asked me what statement I would give me to bring the charge of intemperance before the authorities, if it would prove it? He told him as far as Patrick was concerned, it would rest himself and family. I told him that I had no report to me in the month of a certain kind that the would prove, I had no objections to the withdrawal of the charges of intemperance. On the same evening the Warden sent for me, and in the presence of Mr. Bannerman, the charge of my detention in the guard-room was disposed of by the Warden, but the Warden expressed himself shocked in respect to the charge of intemperance preferred against the Chief Guard, and told me that the charges should have been made before the conference.

I then came to the conclusion that the Warden believed that I had speculation of the result of the charge of intemperance made against Robinson, from the statement he received at, and from his statement that the charges should have been made within twelve hours after the occurrence.

The first week I was on night duty in the prison, during my temporary appointment, which was on the 20th of March, I saw the Chief Guard on his south beat after about 9 or 10 p.m. he spoke to me I first suspected that he was under the influence of liquor. I asked him some questions as to the discharge of my night guard duty as he did not instruct me,

him from an answer to me. I was convinced that he was innocent. Having asked him what I should do if I saw a prisoner coming out of the mill as might I be mad, "Shoot him; put the six barrels into him." I had only a five-chambered pistol. I thought I had no right to shoot a prisoner under those circumstances, so there was a going to years and being never more. I have made layer upon him. His satisfaction was expressed.

On the 11th April, at 10.45 p.m., Sergeant-major Daniel Brennan while he was on night duty I saw him through the grated door.

I was on duty in Sessions' night guard's report, saying, Visited by Chief Guard at 10.0, drunk. The Deputy-chief Guard on Sessions had not, and also to same in saying same night, at about 8 I saw Sergeant, and he was then under the influence of liquor. I judged so from the same evidence as before stated.

On the 24th June it commenced to rain at 4.30 p.m. and the prisoners, who were breaking stone, were brought in and put into their cells without being searched and the cells were not locked. The door of these cells were partly open and all day.

The Chief Guard was drunk that afternoon Mr. Ludwick remained the same thing to me he called me "drunk" like Sergeant. He was drunk on leave of absence that day.

On the last week in August, Charles Burns and Dean been remarked to me that the Chief Guard drunk, which I was present was reported by Guard Sergeant for laughing and Mr. Dean. He has a good deal in him.

I have frequently seen boys dressed in other constables' beds. I have not the items. I never saw him drunk any liquor inside the prison; but Guard Wheeler told me that he had drunk liquor with him (Sergeant), upon the prison premises.

Mr. and Mrs Sergeant absent the same night as Daniel Brennan drinking whiskey on May 28th with some other guards. He and Brennan offered beer to Mr. as he drank in I have some with my own eyes also Brennan, as my other self did not, and drink those upon the prison premises.

With respect to my statement that Chief Guard Brennan's control over the guards is now nearly nominal, I have many instances of it. viz. on the 8th June, from the 9 May 1st Officer Adams, Lee, Dyt, and Campbell, were reported by Guard Brennan for laughing and talking they could not have been reported to the Warder, as he punishment as reported followed.

On the same day Guards Hill and Watt reported M'Carty Lynch, Lee, Shaw, Smith, Healy, Wyatt, Jay Collins, Williamson and Ryan, for inattention to work and talking, but no punishment followed. On the 23rd June, Guard Brennan reported prisoners Walker and Mullen owing for laughing and talking to the above-stable they were not reprimanded and I have not seen prisoners since.

Some are done in the guard-room, been as whistling, talking, laughing, etc., before Brennan, which could not be done before Mr. Sandman and from which I think that they the guards don't care for him.

Certain guards may get off doing duty by simply telling Mr. Brennan that other guards mean before them, when it is really not the case. On the 3rd of June I was off guard duty When I was warned for Sunday corridor patrol, which is from 1 to 2 p.m. I performed the duty. This was prior to the issue of the order forbidding it. I have no evidence to prove that Mr. Brennan had neglected to perform his duty in giving orders / carrying out orders in guards, for fear of offending their guards but I have my opinion that he has.

F. Watt.

Captain Parker, Warder, sworn.—Chief Guard Brennan informed me, before I investigated into the charges preferred against him by Guard Wall, that Wall had represented to a doctor to withdraw the charges made against him; but I was not aware that the Chief Guard had, prior to that, been using influence upon Wall as stated in his evidence, to have the charge withdrawn. As soon as I discovered that, I reported the matter to the Inspector.

W. S. Parker, Warder

Matthew Fitzpatrick, sworn.—I am guard on the Prison beat now; so does the evening I never told Guard Patrick Wall that I mean upon Chief Guard Brennan not drinking liquor with a guard as guards somewhere about the sixty-four shed, and that I took some liquor myself in the beat. I never said Guard Wall any such thing, because it never happened. I never saw Chief Guard Brennan drink upon the Prison premises nor I never saw him

under the influence of liquor; but I never saw Wall that I was him—the Chief Gaoler—in that state. I have heard Wall say things about the Chief Gaoler that convinces me that he has a spite against him.

M. Hodgson.

Chief Mariner Sedman, sworn :—

I have been a guard in the prison for ten months. I was on night duty on the 19th of April last. On one occasion—I don't say a hour—I made an entry in the night-guard report book, that I had been waited a fifth an eighth and ninth duty by Chief Guard Sherriman in a certain hour, when he was drunk. I showed the report to Deputy Chief Sedman, and he told me there was plenty of room, not to write. I then entered the part relating that the Chief Guard was drunk when he visited me. I don't remember that he read the report to Wall, but I told him of having made it. The reason why I made the entry was, that a few days before that I was ordered for duty by the Chief Guard out of my turn. I refused him that it was out of my turn, and told him who should come first. He told me that he kept the duty roster, and that I could go on. I said I would not. He wanted to see the Warden. Upon that the Chief Guard slapped his stick on the guard-room floor and said that he would show me one to change for entry. He also said I was a quarrelling fellow, and said that if I would next me my remuneration the Warden would accept it. I was not paid for my services as the following Saturday. Before I left, I thought that a man who has been fifteen years no officers non-commissioned officer in the service should have known better than call for duty out of turn and threaten to send he was drunk. The manner of speaking to me that night was the common expression use that he was drunk. He spoke thickly. I never saw him drink upon the Prison premises, nor no one of the guards men said me that he was apt to do it. I gave information.

M. Sedman.

Warden's Office, Colonial Prison of Ontario, Toronto 23rd Sept., 1875

Sir,—Having heard from some of the guards of this Central Prison, that during the afternoon of the 20th inst., you left an investigation into some charge or charges preferred against one by a guard of the Prison, and having the most implicit faith in your sense of justice, I beg to request that I may be informed if such is the case.

I am unacquainted, to a great extent, with the laws of this country; but this process, as a public servant, I have a right to know when an official investigation into the propriety of any of my acts takes place. In no case have I been informed of having been guilty of any dereliction of duty or breach of discipline of any sort, much less any act that would necessitate an investigation. But I am aware of the fact, that the aforesaid guard, Wall, addressed to the Warden a letter containing some extraordinary charges against me. Guard Wall, at the time, was smarting under the irritation of a censure from me, for a less I did then and do now consider an unwarrantable act on his part. He expressed his regret for writing the letter the following day and requested me not to let the Warden to allow him to withdraw it, which I did.

The Warden now Guard Wall has absconded, and in my presence informed him that he declined to receive the letter as it was entirely contrary to the facts in the case, made unfounded charges, which were also made good out of the limits of the time prescribed.

I am quite willing, if I be considered necessary for any part and parcel of conducting the duties of my position to become the sub ect of public Government or Public investigation, but I trust, if such is the case, that I may be duly informed of it, and made acquainted with the charge or charges preferred against me and further, that I may be allowed to be present to hear the evidence given against me.

I have the honour to be,

Sir,

Your obedient servant,

James Beaumont

Chief Gaoler.

The Inspector of Prisons,
Toronto.

September 23rd, 1873.

Re Complaint against Chief Guard, Central Prison.

Sir,—Referring to your letter of the 17th inst, and my subsequent enquiry into the form of the alleged misconduct of Chief Guard Beaumont, I have the honour to inform you, that although I do not consider the evidence offered at that enquiry sufficient to warrant any proceedings in an investigation yet I am warranted thereby in some truth in the charge, although great sufficient to counter the Chief Guard of the alleged misconduct as was not forthcoming.

In future I shall decline to make any investigation into such charges unless they are made by yourself and brought officially to my notice as demanding an investigation with evidence as to their correctness.

You will be so good as to hand the enclosed letter to Chief Guard Beaumont.

I have the honour to be, Sir,

Your obedient servant,

J. W. Lacesmith,
Inspector

Capt. W. S. Purves,
Warden, Central Prison,
Toronto.

Re charge against Chief Guard, Central Prison.

September 23, 1873

Sir,—Referring to your letter of the 22nd inst., I have the honour to inform you that certain charges were made against you by Guard Wall, and forwarded to me by the Warden, and that I made an informal enquiry into these accusations, and found that there was not sufficient evidence to warrant my making a formal investigation into the matter.

At the same time, the evidence adduced left no doubt on my mind that the charges were some or less correct, and I would, therefore, beg to intimate that where it would be considered to be a rule of the prison—that drunkenness will not be screened, be tolerated, and that I should recommend your dismissal should a well authenticated charge be brought to my notice of any such misconduct on your part.

I have the honour to be, Sir

Your obedient servant,

J. W Lacesmith,
Inspector

(Chief Guard Beaumont),
Central Prison.

Toronto, February 9th 1874

To the Inspector of Prisons,

Sir,—Some months since I addressed you a communication in relation to the conduct of Mr James Beaumont, the Chief Guard of the Central Prison. In this letter no specific charge was preferred against him as no actual evidence to support thereof was available and could be produced by me, but I stated in that letter that the Chief Guard, *owing to his unimportant duties, his inability to call respecting military command with the discipline of the Prison, and his disturbance in the performance of duties ordered by me*, together with his *dangerous practices* indicated how far such a responsible and important position as Chief Guard I knew now to reiterate *my former statements*, and to add that, from circumstances which have transpired, I consider this present Chief Guard an *obstructive and dangerous officer*. In using the word dangerous, I mean that he would *willfully commit the action* that would not only lead to serious ons, as *Warden, an serious trouble, but bring disgrace upon the Institution*. It is the duty of the Chief Guard to *correctly keep the Registry of Prisoners*,

this Deputy shews the description of the Prisoners, the date of sentence, and expiration of sentence. Thats entries are very simple, and with common attention, no mistake, except intentionally committed, can possibly occur. The prisoners are discharged by me personally at a morning, the Chief Guard producing a Scroll, on which the prisoners' names are inscribed, containing those to be discharged during the month. with the dates of discharge opposite their respective names.

On the morning of the 5th of January I discharged William Lynch, in accordance with the requested date. Some days afterwards it was reported to me by the Deputy Chief Guard, Mr. F. Stedman, that this prisoner had been detained before the expiration of his sentence, and that he proved to be correct; and the circumstance of this wrong discharge was mistaken from my knowledge by the Chief Guard.

A prisoner named Page (a receiver of stolen goods, will vouch to the Toronto police) was brought into my office on the 6th January, in consultation with the Chief Guard's order on the 13th January last. The Deputy Chief Guard, supposing that his term of service had not expired, prevented him being discharged; and on enquiry on that score of the sentence, it appeared that the term of imprisonment did not expire till near of the sentence, it appeared that the term of imprisonment did not expire till near the 20th of January, although he was explained to be discharged on the 13th. This was never reported to me by the Chief Guard. The difficulty in getting my orders carried out by the officer in that, upon occasions he has obstructed the observance of them, and happened on occasions, in which his last altogether neglected to pay any orders to the officers of the Prison.

Retaliation of duty on the part of officers have been, I am convinced, strictly enjoined by him, and of course not reported to me. In fact the disciplin of the Prison has only been thoroughly unsatisfied from the reports and specimen cases of the past eighteen months, viz. the Deputy Chief Guard. It has been evident to me that in consequence of this that the Chief Guard had not many authorities over his subordinates. He is therefore placed in a position his official authority is small at his presence subordinate officers intercepts his duties—all of which the Prison grands are cognizant of.

I have no hesitation in affirming that this officer whom my duty in the Prison, of an exceeding diversity himself at times when his thought his presence in the guard room. His has ever displayed marked indifference to the welfare of the prisoners, and to the utmost unpleasantness himself on the subject.

His obstinate rather than unassuming, and I feel that his remarks in such a position of trust would be regarded by the complaints and censure of the Inspection. I consider him an official not to be trusted,—untruthful, intemperate, deceptive and exhausting, and I have no hesitation in stating that he is incapable of playing the part of Chief Guard, therefore sincerely desire that he will be good enough to keep the matter of this letter under the consideration of the Government, and recommend the removal of this officer from his office as Chief Guard.

In advocating the removal of this official without a directly drawn up charge, unsupported by the necessary extra evidence, I would observe that, having been in command of bodies of men for many years, in various trusts and positions, experience has taught me that it is not absolutely necessary in order to dispense with the services of an unbecoming officer, who at any time might forfeit the trust reposed in him, to be compelled to produce written charges, when minute testimony and go false a laughter in investigation. And it is extremely desirable in the executive administration of the Police Department, where it is often impossible to bring home charges against a silly police officer who is an adept at avoiding actual detection in an act.

The only mode left for the executive officer in disposing of such an official, in general incompetence, as in the matter of duties performed by him, his carelessly vigilance, and strange and unconsciousness in the discharge of duties.

I remain, my time Sir,
Yours truly
W. H. Frazer.
Warden.

P. S.—In that part of my statement relating to the conduct of the late Chief Guard, James Beaumont, in not reporting officers, what I meant to convey was that the late Chief Guard abstained from making reports against officers from fear and that the opportunity of reporting offences that came under his personal observation, and that he was otherwise cognizant of such, as officers coming into the guard room intoxicated, wrangling and swearing, drinking in the premises, &c., &c., &c., which I could not possibly know of unless they were reported to me, and which misconduct more than any other tends to upset the discipline and responsibility of the Prison and its staff.

There are a number of offences registered by me as the Governor Mountsorrel Gaol, as having been reported by the Chief Guard; these, however, are offences against the whole Prison, and have application of by the responsibility, such as neglect of duty in allowing a prisoner to escape, absence from night duty, neglect at meeting parade for duty absence from gate duty," all which is known to all the officers of the Gaol, and could not be unknown, and therefore being recorded, even in order to carry on the supervising duty correctly

Prisoner Edward Bridell, sentenced Leicester Sessions, 1873, 5 years' penalty servitude, have been discharged on the 25th July 1876, but registered for discharge 31st July.

Wm. Hooker transferred from Leicester Borough, sentenced 5 years' penal servitude, have been discharged 29th April, 1876, entered in register as to be discharged 27th.

Matthew Foster, transferred to Chesterfield 1876, sentenced 5 months; registered for discharge 24th April, 1876, should have been discharged 27th April.

Francis Hopkins, transferred to Pentonville, 1875, sentenced 6 months; registered for discharge 29th August, 1876, should be 24th July 1876.

Alec McKenzie, transferred 7th February, 1876, sentenced 6 months; entered in register to be discharged 11th August, 1876, should be 7th August, 1876.

Richard Cheney, transferred to Central Prison 17th November, 1874, sentenced 18 months; should have left May term the week will registered to Central Prison Property Book, as having 8d.13 by the Rev. Mr. Hurt, and in the column where the prisoner's name ought to appear as a remark is the memorandum and "Governor's Account, the latter 8. 3d. in the handwriting of the late Chief Guard, James Beaumont, the property is not forthcoming, it should be in the safe at the present time.

W. S. Hanson,
Warden.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &c. ONTARIO,
Toronto, 1st March, 1876

To Chief Guard, Central Prison.

Sir,—I have the honor to transmit for your information and instruction a communication received from the Warden of the Central Prison subscribing to the strongest terms the character of your late predecessor JAMES BEAUMONT, late Chief Guard of the Central Prison. The charges, as you will observe, treat secretly affect the moral and official character of that officer and whether true or false, must completely destroy the ties between the good relationship and confidence that should exist between the Warden and the Chief Guard.

That you may the more readily realize the results of this want of confidence, I may state that all the Warden's orders to subordinate officers and guards, pass through the Chief Guard, and during the absence of the Warden from the premises, he acts as Deputy Warden, and as such is clothed for the time being with the full authority of the Warden.

The charges preferred against him, by the Warden of the Prisoners upon the prison premises, has been made on several occasions before, and although not clearly proved, legally, will I entertained on facts as to his guilt, and warned him that the production of contraband evidence of his being concerned would be followed by instant dismissal. Such actions become dispositors inasmuch as it had been clearly proved that the Chief Guard had been in the habit of frequent leg warrens and drinking in them with the Prison Guards.

The charges that he is charged with guilty of practices that render him an obnoxious and dangerous officer and one that would willfully involve the War-

due in trouble, and being desperate upon the consideration " are of such a nature as only to be properly judged by one covering like guilt entered with the Chief Guard, and having his interest and passions under constant observation.

The charge that the Chief Guard has discharged some prisoners before the expiration of their sentences is screed, and is either the result of gross carelessness in keeping the register or a criminal interest and collusion with prisoners. If due to carelessness only, such explanation and report should have been made to the Warden of the Gaol, as would have exhibited him in a good against a commission of the carelessness. That it arose, the Chief Guard neglected to do.

The charges that the Chief Guard has neglected to carry out the orders of the Warden, and are some consistent his character and the observance of them: that he has not received or many creations directions of they on the part of others: that he has no normal authority over his subordinates and that he at times to increase his official authority, owing to previous unwarrantable and improper habits, which are known to the public, acts in such a manner that they can only be properly judged by one coming in daily contact with the Chief Guard and having his under constant observation.

While I am fully of the opinion that any officer or servant of a public institution against whom charges are preferred, is justly entitled to demand and receive through an official investigation, an opportunity of exhibiting such charges, still when the head of the institution and the officer directly responsible to the Government for the discipline and management there of is present in a person where the said enquiry of grievance is attended, subsequently there can be no question, as the Warden of the Central Prison does, remaining the Chief Guard, what his retention in such a position of trust would be prejudicial to the discipline and success of his functions: I do not consider him an officer to be retained, unfortified, unsupported, disrespect and submerge. It is very clear that if the Warden is to be held responsible for the management and discipline of the Prison, that may rather involve officer responding whom he finds it necessary to retain in the manner he has done in this case, must be summarily dismissed.

I have the honour to be, Sir
Your obedient Servant,
J. W. LANGMUIR,
Inspector.

To the Honourable, the Provincial Secretary

3rd March.

To Chief Guard.

SIR,—I have the honour to acknowledge the receipt of your note of 30th ultimo, preferring certain charges against the Chief Guard of the Central Prison.

You state that owing to some person having reported or not reporting matters connected with the discipline and observances of the prisoners of duties ordered by you together with disregard of your position as officer in control for the discharge of the respective duties and appointed duties of his position.

You also state that in your opinion, he would not hesitate to wilfully connect an article that might not only tend to serve you as Warden to serious trouble, but would bring disgrace upon the institution. You further state that, owing to circumstances in keeping the Register of the Prison (a duty that devolves upon the Chief Guard) that prisoners have been discharged from the Prison upon earned sentences prior to the expiration of their sentences, and, that although these irregularities were well known to the Chief Guard, still he failed to report the matter to you, an order that ought to have to prompt the occurrence of the same.

You also state that you not as experienced great difficulty in having your orders carried out by this officer but that upon some occasions he has countermanded the commands of your orders and on other occasions has neglected altogether to read them to the officers of the Prison.

You state that dereliction of duty on the part of officers has been wisely imposed by him, and not reported to you; and that, in fact, the discipline of the Prison has only been thoroughly established by the severe and continuous exercise of those authorities to him.

You say that you are convinced that the Chief Guard has no moral authority over his subordinates, and that owing to previous misconduct and intemperate habits—of which the Prison Guards are cognizant—that he is afraid to exercise his official authority over them; and that you therefore consider him an official nullity to be treated, contemptuously, by deception and subterfuge.

I need not state that before ordinary circumstances, it is the duties of the Government that officers and servants of public institutions against whom charges are preferred should have an investigation into such charges, and obtain an opportunity of rebutting them, otherwise the trust of an Institution, and the officer directly responsible to the Government for the discipline and management thereof, particularly that of a Prison, where the safe keeping of a large number of prisoners is so closely connected with the discipline to be severely affect the moral and official character of an officer, and, in consequence, the character of the Institution itself, would be in serious peril. It is clear that if the authority and responsibility of such manager is not to be totally destroyed, the officer whom he so unfortunately reports under the circumstances, for whatever the charges are true or false, or in any evidence the good relationship and confidence that should exist between them must be completely destroyed.

Where it is considered that all your orders to subordinate officers and guards pass through the Chief Guard, and that, during your absence from the Prison that officer acts as Deputy Warden, and is charged for the time being with the full authority of the Warden, that action becomes still more imperative.

Having left your communication before the Honourable the Provincial Secretary, who has given the matter the fullest consideration, I am directed by him to inform you that the services of Chief Guard James Beaumont are here no more required, and you will remove to cate in his stead, for his services on both in your letter he has been dismissed from the Central Prison system.

I have the honour to be
Your obedient servant,
J. W. LANGMUIR,
Inspector

The Warden of the Central Prison,
Toronto.

Box 926
TORONTO, 9th March, 1870

To the Honourable S. C. Wood,
Provincial Secretary

SIR,—I have been most surprised by the receipt of the official letter from the Warden of the Central Prison, in which I am informed that in consequence of certain charges having been made against me, the Government have thought my removal from the position of Chief Guard which I have held for 8 years the opening of the Institution

As the step involves not only the loss of my situation, but likes my character I am surprised that I should not have been previously informed as to the nature of the charges and an opportunity allowed for an explanation.

I am therefore induced respectfully to request of you as Secretary of the Province and head of the Department under which I have been serving, to cause me to be supplied with a copy of the charges, and further that the Government will afford me an opportunity of confronting my accusers, with a view to remove the censure implied in the summary dismissal of which I have been so unexpectedly notified

I have the honour to be, Sir,
Your most obedient Servant,
JAMES BEAUMONT
Late Chief Guard, Central Prison

12th March, 1878

Sir,—I am directed by the Hon. the Provincial Secretary to acknowledge the receipt of your letter of 9th inst., and to state that the enclosed will you were requested from the Chief Clerk of Chief Guard of the Central Prison are not forth in a letter received from the Warden, of date February 20th, inst. In that letter the Warden states that owing to your improper habits, neglect in not reporting matters connected with the discipline of the prison, obtrusiveness in the performance of duties related by him, forgetfulness in keeping the register of the prison, neglect in not reading the orders issued by the Warden, keeping the register of the prison, neglect in not reading the orders issued by the Warden, speaking ill and not reporting officers and misconduct on the part of officers of the establishment, and deception and deceit into practices generally, you rendered yourself unsuitable for the position of Chief Guard of the Central Prison.

While the Government is unwilling to deprive any officer in the service of a Public Institution an opportunity of rebutting any charges that may be preferred against him still it is clear that if the authority of the Superior Officer of an Institution, particularly of a prison—is to be upheld, the weight must be given to all charges preferred against the subordinate officers.

Where therefore the Warden over his own signature deliberately states that your retention in office, for the reasons set forth by him, would seriously affect the discipline and management of the prison, it is clear that the good relationship and confidence that should exist between the Warden and his Chief Guard is completely destroyed.

Particularly is this the case when, as you know, the Warden's orders are to all subordinate officers and guards more than through the Chief Guard, and that during the absence of the Warden he acts as an Inspector. For these reasons the Warden's letter was considered to remove you from your position as Chief Guard of the Central Prison.

I have the honour to be,
Sir your obedient servant,
J. W. Longworth.

Mr. James Beaumont,
Box 608, Toronto, Ont.

Box 608, Toronto, 22nd March, 1878.

The Honourable the Provincial Secretary, Toronto.

Sir,—I beg most respectfully to transmit to you a copy of a letter I have written to the Inspector of Prisons in reply to the letter received from you by your direction, and by which I was for the first time made acquainted with the grounds for my removal from the position of Chief Guard of the Central Prison.

I have the honour to be,
Sir your obedient servant,
James Beaumont.

Box 640, Toronto, 21st March 1878.

The Inspector of Prisons.

Sir,—I have the honour to acknowledge the receipt of your communication of the 17th instant, in reply to my letter of the 9th, addressed to the Honourable Provincial Secretary detailing the charges made against me by the Warden of the Central Prison, and regret that my dismissal was so arranged that that should be the first opportunity of my becoming aware of their nature, or being able to offer any explanation in reply

1 *Intemperate Habits.*

This latter I deny, and beg to state that, though not a total abstainer, I have never while in office in the Prison been on the least unprofessional form the proper performance of every duty required of me, day or night, in consequence of intemperance. Further

When I entered the service of the Central Prison it was with the full understanding that any matter not of inconsequence would be dealt with on the course adopted in the Arrest, Hurry and Control Service of Great Britain, viz., that the Warder would call a witness to the fact and interpose no, or the slightest, as a matter of course, immediately following,—this has never been done, nor have I ever been charged with fabrication by the Warders.

2. *Neglect to set Reporting to the Warders, do.*

With regard to the accusation of neglect in not reporting to the Warders matters connected with the discipline of the Prison. I unreservedly assert that I am entirely ignorant of any neglect in this particular, certainly more than would be deemed instances of inspection by any inspector of prisons.

It is true that I suppressed one report made to me of misdemeanours of prisoners in one gang, on the score of it made by an alleged accomplice of the Warders.

3. *Non-attendance on the Performance of Duties.*

This I must again deny any consciousness of, unless it refers to matters connected with the formerly arrangements of the Warder's house, the written orders for which I now hold, to be produced, should occasion arise, but which has not much interest in perhaps affairs to have caused the slightest observation at any time.

4. *Irregularity in Keeping the Register.*

In reply to this I have only remark that from the opening of the Central Prison to the day I left, no person ever made an entry in the Prison Register but myself; that at no time every day without exception, in which I was on duty, was the register not in my single occasion but there ever from the slightest fault found with the correctness or incompleteness. Surely if any neglect existed in this matter it was not unreasonable to suppose that my attention would have been called to it by the Warder, especially when he was fully aware of the various other calls upon my time and attention. Referring to an order I made in complaining the state of a book during which Lyndh, by which he was discharged some days previous to the expression of his sentence, I may state that I reported the matter to the Warder immediately I discovered it—four days after. This note I sent because I was among the first I had to undertake after taking up that duty, and I believe in the unfortunate result.

I may also in connection of drawing your attention to [illegible] that although there [illegible] Warder from the [illegible] I have [illegible] book. I do not think the Warders either are properly kept, the odd local duty of doing it was imposed upon me through assistance in the charge of a prison since being dissolution by the Warder, and my other practice made. The variety of other duties and not for the performance of the Chief Warder more accurately interfered with that I could properly undertake which as an essential to the correct keeping of books of any kind, and I referred to this in my letter to you of the 15th October last.

5. *Neglect to see Reading Orders issued by Warders.*

I emphatically deny that I was any guilty of neglect in reading any of the orders of the Warder the trials of the orders having been read by me at the time of publication, with the exception of one in one which the Warder himself verbally informed me need not be read, and to which I can refer to from memory when called upon.

6. *Overlooking and not Reporting Offences of Officers.*

In this matter I answer myself any case of neglect on my part, which in the reasonable discussion in which the officer in my position was justified in exercising.

Had I reported all reports made to me during my service in the Central Prison, endless scandals might have been brought to notice, which, for the credit of the prison, I deemed in my duty to suppress.

I am happy to be informed that the Government is desirous to give every officer in the service of a public institution an opportunity of defending himself, and if I treat they will at once grant me the same privilege. I shall not apprehend investigation of the alleged charges, and shall bring full weight to the charges preferred by the Warden that their weight shall or may be estimated by the facts which shall be established by my defence.

I have been full 9 years that near 9 years since the opening of the Institution, a junior officer of his position has had the care and confidence of the Warden and his counsel that he would have an removed and secure my position and am firmly convinced that the Warden has been largely influenced by his misstatements, and I am being subjected in consequence to the his influence for my removal, but I feel great confidence that no dismissal would take place without an inquiry into the facts, when I know the truth would be made apparent, as I have no other desire of the Warden to place in my position one who enjoyed more of his confidence, whether deservedly or otherwise.

I am fully aware of the importance of a good understanding existing between the Warden and his Chief Guard, and that the only ground for my removal has been on that first, and been so represented to me by you, without the charges detailed above, it would have been difficult but when I consider that on Deputy Warden I am classed the treasurer of the prisoners to rent a manner during his absence in 874 in response his unqualified approval, and again during his prolonged absence in 875 with a sum in cash, and I believe also entirely to your satisfaction, and having given all these representations my motives deliberation, I now respectfully and earnestly request that a full and impartial enquiry may be instituted and that I may not be dismissed with an undeserved stain on my character which must seem surely prevent my securing other employment, which has written and members of my family with, and family in such a large degree, are dependent.

I have the honour to be, Sir
Your most obedient servant,

JAMES BEAUMONT,
Late Chief Guard Central Prison.

TORONTO, 26th March, 1876.

SIR,—I have the honour to acknowledge the receipt of your letter of 21st inst., which I have transmitted to the Hon. Provincial Secretary for consideration and instructions.

I have the honour to be, Sir,
Your obedient Servant,

J. W. LANGMUIR,
Inspector

MR. JAMES BEAUMONT,
Box 608, Toronto, P. O.

26th March, 1876

SIR,—I transmit herewith for your perusal a letter received from Ex-Chief Guard Beaumont.

You will observe that he denies most of the charges preferred against him.

You had better deal with the matter in the order in which they are placed and give instances. This report is asked for for the information of the Government, not with a view of recommending its contents to Mr Beaumont.

I have the honour to be, Sir

Your obedient Servant,

J. W. LANGMUIR,
Inspector

THE WARDEN, Central Prison, Toronto.

PROVINCIAL SECRETARY'S OFFICE, TORONTO,
March 30th, 1876.

SIR,—The Inspector of Prisons has been instructed to send a copy of your letter to Capt. Prince, and when we receive his reply will determine what course to pursue.

I have the honour to be Sir,

Your obedient Servant,

H. G. WOOD,
Secretary.

Jas. Beaumont, Esq.,
Box 466, Toronto.

Re Communication of Ex-Chief Guard Jonas Beaumont.

March 30th,

To the Inspector of Prisons &c.

SIR,—I have the honour to acknowledge the receipt of your letter of the 30th instant, enclosing a communication addressed to you by the late Chief Guard of the Central Prison. In the letter I shall send you a reply with as little delay as possible in the meantime I return the letter without loss of time, as desired.

Your obedient Servant,

W. S. PRINCE,
Warden.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C. OF ONTARIO
TORONTO 30th April, 1876.

Re Ex-Chief Guard Beaumont.

SIR,—Referring to the communication of this dismissed officer addressed to you, asking to be furnished with the reasons why he was released from duty. I beg to state that I transmitted the letter to the Warden, and I now have the honour to forward to you his reply which affords an ample refutation of the calumny the writer wished for discharging Mr Beaumont from the Central Prison service.

He good enough to return the letter for filing in this office.

I am, Sir,

Your obedient servant,

J. W. LANGMUIR,
Inspector

The Honourable Provincial Secretary

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 21st April, 1876.

To the Inspector of Prisons, &c.

SIR,—In reference to your letter enclosing a communication from the late Chief Guard Central Prison, in which he denies the truth of my representations as to his unfitness for office from his unscrupulous habits and other reasons addressed by me, I have the honour to inform you, he has last night proof in support of the correctness of my statements to you, as the drunkenness, intemperate and harassing state has pervaded every branch of duty since the 25th of last month, the date of the late Chief Guard's removal; but I shall deal with his dastardly conduct and first as to his denial of intemperate habits;—Mr Beaumont has been frequently under the influence of liquor, which has been proved in every case to the Prison. Upon one occasion he was seen *using* upon a chew a the north corridor he brown 3 each 3 p. m. to which take the charges of liquor as to be clearly abscondite, not remarked by the guards. Upon one occ ey whilst in the cells, he had the prisoners

rang down from the corridors *twenty minutes* before the turnkey in the watching gangs from the yard, for the "evening census." Numbers of other cases could be enumerated, and whenever produced no evidence thereof. But I may state, that on the evening previous to his removal from the Marshalsea, while taking the "evening census" in my presence, the late Chief Guard was so much under the influence of liquor, that had I not just received the certificate before mentioned, he should have certainly been reported for, and dismissed him off the premises.

Neglects his real Superiors.—Thus he also denies. I have so stated that the late Chief Guard never reported an officer since his appointment to office. The guards did in the general course as prisoners, whenever they wished. In defiance of my orders, he would walk up and down the passage-room whistling and singing, of a night, so much so as to annoy the inmates of the corridor night patrols, while the guards would remain and converse in an unusually manner without check. As I have stated in my report to you, he would, when on duty and in charge, leave the House and remain away for hours. Upon one night the Deputy Chief Guard, on visiting the prisoners at 7 o'clock precisely, as it was his evening on leave, heard the Bonnet bell ring: finding it was not replied to by the Officer on duty (Mr. Hall), he himself went up, and found the outer door of the bedroom had been taken accidentally wrong. The late Chief Guard was not forthcoming; and did not return to the House until 2 o'clock next morning. He then, as requests this practice, I can produce sufficient evidence to prove that it was constantly carried out; and we little expect that for the faithful discharge of the Deputy he encountered such ill-will, that I have left no remedy as a last resource, leaving the late Chief Guard as the Officer on duty in charge for the evening, and that he, as soon as I had gone, left also, so that the Prisoners were left in charge of a Boy. Upon my return, I found the Prisoners whose Orders were issued to me for all the inmates to be paraded me intended by the Chief Guard, prior to their evening walk of exercise, in the Passage, but which they in no way were properly ear-piped, and consequently were not. This duty I found was entirely neglected, and my defaulters of the night preceded to one of the guards having left a bundle yetted in the dormitory, all the bed actually been taken possession of by a prisoner and tied away by him in a cell. and also guard arrest report made in the absence of the proper fact obtained, have not had the chance found there anything about it. Upon another occasion Prison Guard Henry Langman, who was one of the guards for week duty on the morning of the 7th of June last year, was placed by the late Chief in command of the Yard for his *wife was to come down and watch for them*, and the being in this state was successfully prevented by the Deputy Chief Guard on his proceeding to his wife, whereupon Langman was dismissed. The late Chief Guard remarks "That he cannot recollect cases of negligence, which he considers in his position would have occurred, but allege that it had reported and discharge from his service, sensible pigh have been brought to notice which, in the estate of the Prison. So doubted, is the duty to improve. My orders, to him, from the day he was sworn in office, has all the top connected with breaches of discipline and the rules and regulations of the Prison were to be reported to me by him personally. I have explained him many times upon improving on this duty in the very letter, and he is most particular in observing and reporting to me upon his conduct of the officers in the guard-room. The Chief Guard has also stated that Mr. Wontner would, which was afterwards shewed upon your investigation—such an assembling figure into the Prison premises, tipping, insolence, and the use of foul language, would well shew evidence on the part of a character of Prison guards—could never have taken place all this the late Chief Guard must have been cognizant of the performance in many instances took up place under his own eyes and then he attempts to justify himself in the suppression of the information from me.

Irregularly a Deputy Register.—The two cases in point, quoted in my communication, are sufficiently glaring to admit of no denial. those cases were later reported to me by the late Chief Guard. Upon my changing him with neglect in entering Leach to be discharged before his time, he stated that it was the fault of the Bursar who ordered the commitment and notes for the register at the time that Leach was committed. Now the register is wholly in the late Chief Gaoler's own hand writing, and the entries must have been made from the copies of the committees, and transfer entries to the Bursar and register to the with making the entries in the register book. The Prison Clerk alluded to

by him was brought into my office to assist the Bursar in making up his books and accounts, this pressure had continue to do with the late Chief Gaoler and with the books and returns that it was his duty to have and render up, and I took a couple of hours application a day on his part, would have sufficed to have kept them up, and neatly. Another instance of the gross negligence (to use the mildest terms) has come under my observation during the last fortnight, in prisoner Stephen Sullivan, who was ordered to be discharged on the 7th of April, whereas on reference to the copy of conviction, I found it to be the 27th April; one circumstance of the register copied, the remaining out of the 9 bodies the 7 as clear as noon-day.

Dissection. To show you what little dependence I could place upon him, and his desire to discount me in duties entailing great responsibility to me as Governor, I have to state, that on Saturday I informed the Bursar that it was my duties that he should be present at the commencement of the dissection, to clear information should be sent to his friends who are residences. The Constable's duties were into my office shortly afterwards, when he left the Bursar and left the duties of attendance upon the Chief Gaoler with him, the first thing Monday morning, to commence and hurry away from a pile of business that he knew was for immediate attention, and which he had been informed of by me when the Bursar was present and have the pile measured, amounting for the books that I have taken notice of. I complained to the Bursar thereof, and instructed the Chief Gaoler per contra, about it in the presence of the Constable.

I was not in the room grounds conferring with the Deputy Chief Gaoler about steps to be taken for the prevention of sacrilege Book, which the Bursar was present at, I directly afterwards went into the office and remained there till 10 a.m. I then returned to my quarters till 11, and during that time was the surveyor driving out through the front gate. Immediately afterwards I proceeded to the Chief Gaoler, that the coroner had been over. He replied yes and he dined with me also. Now the Chief Gaoler was using his means as his absence, and the Bursar has not come. Shortly after I discovered that the coroner had taken the body of Ireland to me, what Mr. Beaumont easily informed him "that the Surgeon did not wish to be disturbed."

He consequently retired to quarters, during the day the Constable to see me. In the evening. The blue light was not used consequently that a dissection could not be undertaken. Then, the Deputy Chief Gaoler had various conditions, which was transferred from Mr Beaumont's few months after the Gaoler had been made, as I was forced to that the late Chief Gaoler was not to be trusted, and it was Mr Sullivan fulfilled the trust reposed in him, by his unsatisfactory manner and wrong: the discharges of duty he has rendered on very numerous occasions, commencing in the year 1838 to Sullivan upon the wharfs of the Constabulary, endangered through the appointment of such a character as the late Chief Gaoler, to such a position. In the beginning of last year when there were about 250 prisoners in the Central Prison, and his employment for about ten days, and his pay was but trifling, I was then informed by Mr Sullivan that he made to escape and that assistance was expected from outside, of course I in very an early opportunity having a large number of prisoners with me and some to keep their minds occupied. Upon my visiting the Prison at a late hour one night, and passing through my office I happened to open the drawer of a table which was closed against the south window to look for a pencil, the drawer was not locked, and per my surprise I saw my surprise when I discovered lying in this drawer the keys of the Prison Prison, so that any one might have opened the window which is not barred, raises the keys, entered the Prison, and escaped the south window night guard. This culpable & perhaps wilful negligence, the late Chief Gaoler had been in the habit of committing for various before it was discovered. Since the man's removal, the general management of the duties of the Central Prison has been conducted most satisfactorily to me, the strictest discipline maintained with harmony prevailing in every branch of duty under the Executive Administration of Mr Sullivan, the Deputy Chief Gaoler, assisted by Head Nurse Serving, an intelligent trained Non-Commissioned Officer of the Royal Artillery

I have the honour to be, Sir
Your obedient servant,
W. S. FRENCH.
Warden.

Box 663, Toronto, 3rd May 1870.

The Hon. S. C. Wood,
Provincial Secretary.

Sir,—Referring to the contents of your letter of the 28th March last, I beg to draw your attention to the fact that I am still wearing the result of your communications to the Warden of the Central Prison.

In my letter addressed to you on 19th March, I begged you would grant me an investigation into the alleged charges that formed the ground of my dismissal.

I now respectfully renew that request, accompanied with the hope that it may take place in an early date.

An additional inducement exists for me to urge this request, in the fact that it has come to my knowledge that Captain Fraser has made assertions and unpardonable assertions above all, and my only reason for not taking legal notice of the same, directly it came to my notice, was the fact that I was led to hope that an inquiry would take place into the truth or falsehood of the statements that brought about my unmerited fall, in my opinion, undeserved dismissal.

I have the honour to be, Sir,
Your obedient servant,
JAMES HARGRAVE.

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
TORONTO, 10th May 1870.

Sir,—With reference to your letter of the 3rd inst., I have now the honour to transmit herewith, copy of the charges preferred against you by the Warden of the Central Prison, Toronto, while acting as Chief Guard of the said prison.

I have the honour to be, Sir,
Your obedient servant,
J. K. KELLEY
Assistant Secretary.

Mr James Hargrave,
Box 663 P. O. Toronto.

Box 663 Toronto, 13th May 1870.

The Hon. S. C. Wood,
Provincial Secretary

Sir,—I have the honour to acknowledge the receipt of your letter of the 10th inst., enclosing a copy of the reply of Capt. Fraser, to my communications on the subject of my dismissal from the position of Chief Guard of the Central Prison, and in reply I beg to state that the charges preferred therein are quite capable of being disproved by documentary and oral evidence, before any impartial, honest minded party, and the natural effect prevented them made clear

Among the reports suppressed, with which the Warden charges me, was that of a guard on charges of gross of profanity, who complained that he (the guard,) was unable to control his men, and keep them from laughing at talking, in consequence of the Warden constantly calling them in plain clothes, with his fist on the back of his head, and an attack under the cloak of liquor are to become the laughing stock of all in sight.

With this, no one example of action can be considered in proper inquiry I beg to submission to state that when I received my appointment it emanated from the Government, and not from the Warden, and I did not for a moment suppose that they would allow my standing and my character to be trifled on the unsupported statements of my individual, without an opportunity being afforded of proving their correctness.

A reluctance to believe that such would be the case, has led me my remaining under the charges so long as I have, in the hope that I would be afforded the opportunity of disproving the accusations made against me, without bringing the matter before the public.

I

As, however, two months have now elapsed, and still feeling that the means adopted to secure, and the mode of carrying out, my dismissal, were of a nature with the Statute and the rules laid down I again most respectfully but earnestly urge that a full and impartial inquiry may take place, and that I may be allowed to supply counter to make use in the examination of witnesses to prove the incorrectness of the charges made, as I therein to my character which has been so cruelly traduced, as to prevent me either obtaining a re-call of the vast number of situations of which the Government have control, or obtaining employment in any respectable house of business as a clerk; which at in my former work my family to provide I respectfully add the favour of an inquiry might be accorded me at investigation as if for no condition named above, failing the receipt of which, I cannot be blamed afterwards, for taking such steps as I may deem best, to restore to me what I consider my own, even if it should be the means of bringing to light many things, which for the interest in a certain of those concerned, would be better to remain in the dark.

I have the honour to be Sir
Your most obedient servant,
JAMES BELMORE.

PROVINCIAL SECRETARY'S OFFICE, ONTARIO
TORONTO, 16th May 1878.

SIR,—I am directed to acknowledge the receipt of your letter of 8th instant, and to inform you in reply that your application for an investigation into the charges made against you whilst in the capacity of Chief Constable of the Central Prison, will be granted and a date for holding the same fixed on the return of the Inspector of Asylums from his present tour of inspection.

I have the honour to be, Sir
Your obedient servant,
I. E. EDGAR
Assistant Secretary.

Mr James Beaumont, Toronto.

BOX 676, TORONTO JUNE 7th, 1878

The Hon. S. C. Wood,
Provincial Secretary.

SIR,—Referring to your letter of the 16th ult. informing me that an investigation into the truth of the charges preferred against me by the Warden of the Central Prison, would be granted, I have the honour to request that the said inquiry may take place at as early a date as practicable, and that I may receive due notice of the day fixed.

I have the honour to be,
Sir
Your obedient servant,
JAMES BEAUMONT

BOX 676 TORONTO July 3rd 1878.

The Hon. S. C. Wood
Provincial Secretary.

SIR,—I have the honour to draw your attention to your communication to me of the 16th May ult. informing me that an investigation should take place on the return of the Inspector from his present tour into the truth or otherwise of various statements made by the Warden of the Central Prison, which formed the grounds for my dismissal from the post-

tion of Chief Guard, without my opportunely being afforded, of rebutting the charges as to spoiled oat.

I beg now most respectfully to state, that I have hitherto retained on my own mind-unwarranted, while wanting the Hon'ble majority, from seeking other engagement, and as I must still afford to do this month, hoping I respectfully request you will at once adopt such steps as you may deem expedient to bring my case to an issue without further delay, in reminding you that it is now four months since my first appeal.

I have the honour to remain,
&c.
Your obedient servant,
JAMES BEAUMONT.

Box 588, Tamarac, October 6th, 1878.

The Hon. S. C. Wood,
Provincial Secretary.

SIR,—Referring to previous correspondence and my conversation on the matter of my dismissal from the position of Chief Guard of the Central Prison, and particularly to my letter of the 13th May last, in which I request the privilege of employing counsel, on an investigation. I beg to state that having duly considered your position in personally conducting the case whenever it took place, and having the assistance of friends in whom I have the most implicit confidence, I am fully impressed that the interests of myself and myself will be equally attended by having the matter entirely in your hands.

I will therefore abandon the idea of employing counsel, and trust you will give this subject your attention as early as convenient.

Your obedient servant,
JAMES BEAUMONT.

INVESTIGATION INTO CHARGES MADE AGAINST JAMES BEAUMONT LATE CHIEF GUARD OF CENTRAL PRISON

13th October 1878.

WILLIAM HUTCHISON PRISON, sworn.—In Governor of the Central Prison: was appointed to duty 1873 : formerly for fifteen years chief of police for City of Toronto.

As far as my memory serves me, Mr. Beaumont never reported to me. He may have done so on a few occasions. The Deputy Chief Guard made the reports.

Things came out in the investigation held by Mr. Langmuir in the fall of 1876, which proved that Mr. Beaumont was incapable of conducting the duties of the position. I was, as an investigating and controlling on the part of the grounds, and did not report to me. I may state that he never reported an officer to me. The grounds did in the quarrelsome in the presence just what they chose, such as walking up and down the grounds, smoking, engaging in sight. He himself would use to the men quarrelling in a disorderly manner, and shout, during the hours from 6 to 8 P.M., at his charge. Last night the Deputy-chief Guard was answering to quarters at half-past seven, unexpectedly as it was coming all hours. The hospital bell rang, and he, finding it not replied to by the officer on duty (Mr. Beaumont) went up himself, and found the patients much aware.

I put a notice regarding the investigation just made, as well as other charges and was it made, as far as want of discipline in the guard-room is concerned, they were reported to me by others.

On the evening of the 7th March out, while taking the evening count, I remembered the Chief Guard to be in bed under the influence of liquor that if I had not received his dismissal I should have suspended him. I considered the Chief Guard under the influence of liquor past one o'clock in the morning, on the occasion of the non-appearance of prisoner Speed. One of the Detectives was sent for, and I should have followed him to the Chief Guard's room at midnight. I found that it had not been done, and I went for the purpose of finding out

where the Chief Guard was. I could not answer at first. I smiled him up and down him to daisy

I remembered that night Chief Guard as to the cause of his hearing without being properly relieved. He stated he had called in the Chief Guard, and could get no answer. He said the Chief Guard was lying on his bed. When I say under the influence of liquor, I do not mean that he was incapacitated for duty; but that, as Chief Guard, he should not have been in the state I found him. I have frequently noticed that Mr Beaumont was under the influence of liquor in the day-time, but he was not drunk. In cross-under my notice that he would sit there when the prisoners were in the cells, instead of being placed in the armchair. I found the keys one night in the drawer in my office, and the drawer not locked.

Statement. I put it by me, as necessary for the matters now under my personal notice and when it refers to matters not coming under my personal observation, is advised to be rejected to me.

W. H. Purcell.

Statement. Sunday, 1875. —In driving Chief Guard, had the position of Deputy Chief Guard up to 6th March last. I have seen Mr. Beaumont under the influence of liquor several times, but never saw him unable to act as middle day. I cannot say how many months after Prince operated. I went up to my room to find the Chief Guard, and found him lying on the bed across the room. I went to him and found him unable to stand or talk, and told me to go to the Hospital and get the Hospital Guard to give him something. I am a say what it was. I hopped to those and got it to him, put my cover him and he went to sleep. I replied by his manner of speaking his appearance, and the smell of liquor that he was impregnated.

Another time, in March, 1875.—I cannot give the date,—he was sitting in the armchair as I passed through. Mr Newton was present. I thought Mr. Beaumont was intoxicated, and said to Mr Newton's presence. He was then sitting there and fast asleep, in his chair. The night the prisoner Robinson was released from his cell by me. I was then in the Hospital and got up to my room and saw Mr Beaumont under the influence of liquor generally towards the evening.

On one occasion he was [illegible] and I went into the room, and found the prisoner down there, their right to let. I simply attention to his appearance, and that indicated that he was intoxicated.

[illegible] [illegible] [illegible] [

at ten minutes past nine. I saw Mr Beaumont, who should have been on Chief Guard Lloyd-Jones and Guard Bullard coming out of Hughes's room. I cannot remember the day or month. It was about a month or one before Redwood was discharged.] did not report it.

Adjourned until 2 P.M.

Resumed at two P.M.—Evidence continued.

R. Eremmah—I came home one night in April, 1875 ; I went to the hospital up stairs at the hospital gate, and finding it so much, I got off. I went to the hospital and found Phillip Wallace, who had taken an overdose of medicine, lying on the floor. I went to the guard room to find the Chief Guard Mr Beaumont; could not find him in the guard room. I then went to the office and he was not there. I then went back to the prisoner and got him on to his feet between half-past nine and ten. Mr Beaumont and the hospital guard came to the hospital. Mr Beaumont should have been on duty that night, as it was his night for duty. What I came home there was an officer in charge owing to Mr. Beaumont's absence.

I have frequently seen Mr Beaumont in bed, when Mr Beaumont should have been on duty and found that he was absent. I know he was not in his room although otherwise under take the system. This would be about the time when Septimus Prince was away on the sick. Since 1875 I reported Guard Harry Langman for being absent without leave, and he keep note for away from the offices of reports. On entry in the Governor Merchant's book was produced, the note by Captain Prince for report, The Chief Guard had passed him, Langman, as fit for duty and marched him off for duty ; Guard Langman came in with his report, and he was passed, and he was sent for duty then if he went on the wall he would fall off. He was not sent he was drunk, he had been out all night. Mr Beaumont came to my room, I told him that Langman was drunk ; he called him back to the guard room and thank he sent another guard in his place. I reported to the Warder, and he was dismissed for being drunk.

Orders issued by Captain Prince were written in the order book, and the rules requires they should be read to the Guards by the Chief Guard on several occasions that was not done. I have not heard them read myself. Guard Bullard Warders was to take my place following my absence at noon. This time [illegible] was one day. I have seen the keys [illegible] in the office and the drawer and cabinet [illegible] leading into the prison proper and from there out on the yard. [illegible] report it. The keys were kept in charge, and having been kicked by Mr Beaumont [illegible] that it was none of my business, I did not interfere with the keys. At the evening court, the keys are delivered by the night guard to the Chief Guard, and after [illegible] in the morning. As soon as I finish my duty a to see that the front door key and all other prison keys are locked up in the armory. About the 12th January 1876, a prisoner of Regan was about being discharged, and I observed that his name was not upon Guard Guilford. I reported to Mr Brown on and on examination of the register he found that his name was not upon it. He had been in some time prior to 30th January 1876 and he was discharged on the 30th, and Guard Gifford called my attention to the fact that prisoner Lynch was discharged before the expiration of his sentence. Then on the register, and the prisoners discharge book were produced, showing that prisoner Lynch was discharged at the expiration of his sentence, six months. Duplicate discharge were produced, three dated the 29th and one dated the 30th May 1876, and should have been discharged on the 30th January 1876, and should not have been discharged on the 7th. Prisoner Septimus Collins was received in the register book as sentenced for two years, and that book would expire on the 8th April 1876 the copy of sentence was produced shows that his sentence was terminated on the 8th April, 1876. I have no personal acquaintance in the Register

Cross examined by Mr Beaumont.

It was the custom when Mr Beaumont was Chief Guard, and to save five minutes before the gates are unlocked in, to bring the prisoners down, who may be in the cookhouse I have no recollection of ever having ordered Mr Beaumont never on the Report Books I don't know of any order or instruction requiring the Chief Guard to remain in the guard room during the hour and in the absence of Mr Beaumont Bullard Warders and I we were responsible The Warders has three keys, one for the outside ground gate, one for

blind door inside the ground gate, and saw for the door leading from the fencing half into the yard: these keys are not locked up in the armoury, but the keys by the Warders.

Page was admitted into the Prison on 2nd February 1875.

Lymph, on 28th May 1875.

Cellina, on 3rd June, 1874.

RICHARD H. GIBBMAN

Deputy Chief Officer.

Rev. MERTON sworn.—I was appointed Chapel 5th July 1874 here voted as Deputy Chief Officer from 8th March, 1874. About September 1875, Mr. Beaumont came into the north wing and sat down, and was talking about some matters and noted with the north wing. Mr. Shedden came in, and in a few minutes afterwards Mr. Beaumont went out, after he went, Mr. Shedden remarked to me that Mr. Beaumont had just shook his wrong; he could scarcely walk. Nothing occurring in Beaumont's appearance or in his conversation that would lead me to believe that he had got to break up in mind or body, or that he was intoxicated.

I recollect the prisoners were formed up one day about twenty minutes before the regular time I saw Mr. Beaumont before me, I thought he was sober he was certainly subdued, and there appeared to be something wrong.

Cross-examined by Mr. BEAUMONT.—Since I came to the Prison, up to March, 1875, when my investigation took place, I never saw any sign of drink on Mr. Beaumont's face that, I did, at different times, see signs of drink on some body in my opinion he was at times by no means sober I could not see any difference, as far as his connection to prison duties were concerned. I have never known the Governor to allow himself from the Prison when he ought to be on duty. The evening before Mr. Shedden went away on leave, Mr. Beaumont came to me and said they had not been able to perform Mr. Shedden's duty during his absence, and that in addition, the Warden required me to take charge of the north wing. I have never, myself, when not in the regular room, known Mr. Beaumont either singing or attending to the guard room. I have, when in the guard room with Mr. Beaumont, heard him repeating verses and whistling, but such, and not to interfere or distract any one in the guard room or prison. I don't recollect that Mr. Beaumont neglected at any time to collect the keys at evening roomt.

E. HAYNES.

DANIEL CUNNINGHAM, sworn.—I am sick and lodger of the Central Prison. I was appointed on 8th May 1875; I remember the Warden being called away to attend his brother's funeral, in July last; the night the Warden was ordered home, I saw Mr. Beaumont coming on to the Warder's floor, and on his coming up I noticed that he thought he was unlike the manners of Reptor. I did not speak to him I judged from his appearance I cannot state the time it might have been after eight o'clock in the evening.

D. CUNNINGHAM.

DANIEL KEEFFATRICK, sworn.—I am Prison Guard I was appointed on the 11th September, 1875 on the 13th February 1876 I saw the late Chief Guard, about 8.30 P.M., he was then under the influence of liquor he was on duty his appearance his manner led me to believe from my judge the influence of liquor a little before the time coming I saw him, and he was drunk I saw him going into his bedroom, and his staggered he should have removed his keys from his coat outer guards, but did not Guard Dunn removed the keys no room but Guard Dunn was present I never saw Beaumont drunk any liquor in his Prison grounds I have seen Mr Beaumont at the front gate of the grounds when on duty I have seen him go out of the building when he was on duty but whether he obtained liquor I cannot say

Cross-examined by Mr. BEAUMONT.

I don't remember of hearing Mr Beaumont whistling. I told it was the duty of the Chief Guard to receive the keys in night I judged so, as I was the assistant warden then and is so still

DANIEL KEEFFATRICK

MARTIN, Esqr., sworn.—In Prince Gould was appointed in May, 1870; I remember the 13th February, 1873: I saw the Chief Guard that night; I was guard at entry on the guard-room; at ten o'clock at night I went to Mr. Beaumont's room and found him in bed and asleep: I loved by rather loud; I wanted to tell him I was going to look up the front doors; he did not wake up. I then went down and looked the front door and then returned from Mr. Beaumont's room; I went to my own room, and by that time Mr. Beaumont rose up, and he stood in his bedroom door; and he asked me if I had locked up. I could not say whether he was under the influence of liquor or not. I saw Mr. Beaumont on the 15th June, 1873, on the day of the escape of the prisoner from the new grounds: Mr. Beaumont was out on duty. I saw him after ten at night. I was outside Surveyor Guard at the time I thought he was under the influence of liquor. I judged so from his general appearance and conversation; that night Guard Hayes, who was night guard, was out of the Prison. I left him at an half past twelve, when the bell rang I thought it was the Bailiff, with prisoners, and on going down, found it was Hawkins in custody; have been on duty from the 20th. I did not know he was sick in bed. I may have seen at the door.

Cross-examined by Mr. HOLMESCROFT:

I never knew Mr. Beaumont to intoxicate or stay in the guard-room: he made an attempt to attract the attention of Guards the guards: I have heard any evening or morning in the guard-room what Mr. Beaumont was present, during the time we were Chief Guard.

E. BARR.

Adjourned till 10-30 to-morrow.

Investigation resumed, Tuesday 31st October, 10.30 a.m.

Mr. Beaumont and Captain Prince.—Captain Prince produced officers' official book, in which on 13th June, it appears that Chief Guard Beaumont reported the following officers: Mr. Lee, killed June, 19th June, 1872; Mr. Mosher, English, to the 30th October, 1872; Sol. Wilson, Dougherty, 5th October, 1874; 6th, Daniel McCarty in court, 26th October, 1874; also name person, 26th December, 1874; George Miller, February, 1875; Thomas Hall, 30th December, 1874; Mr. Smith, 1875. Under the head of Chief Guard, 13th June, 1873, Mr. Beaumont reported officers present [illegible] book proved and. Interested 13th April, 1870 the following officers present [illegible] Guard shall inquire into the matter, investigate the case and report for him in the guard room within in the next hour.

The following appointments under date of August 19th:—Persons are not to be allowed to be in and out about the prison grounds and offices, with a view of passing the Warden or other Prison Official in case the presence of the officer required for is not at the time available, the request is to be instructed by the guard to leave a message or memorandum as to his business, and then leave.

W. S. FRENCH.

WILLIAM SANDYS, sworn.—On night guard and sticker for the Central Prison: was appointed two months after the prison opened. I remember the 31st June, 1870 when three prisoners escaped from Central Prison; I was by Deputy Warden Smith sent up to the field to assist in finding them. I joined the Warden a party on the other side of the field. The Warden instructed me to proceed after them, and that he would return and search no orchard close at hand. This was between seven and eight o'clock in the evening. I returned to the prison about 10 o'clock.

WILLIAM SANDYS.

WILLIAM GOTHARD, Guard, sworn.—In Prince Guard, I was appointed at the opening of the prison. I never heard the Chief Guard wrestling and singing in the guard-room or such a manner as to disturb the guards. I never knew Mr. Beaumont when on duty to allow quarrelling and rough ungamanly the guards. I remember one occasion on which a pistol was found on a prisoner self. I pushed that morning with it

pieted, I had Guard [illegible]'s point. About ten minutes after the parade, I went to Mr. Beaumont and told him the plotted found in the mill was mine. It is the custom for the Chief or Deputy Chief when on duty to look the room gaols of the grounds at night. I remember the guards getting a party at the Ferry. Mr. Beaumont was present, but was the officer on duty that night.

WILLIAM GOODEN.

ESTER KEMP, sworn.—I am Prison Guard, was appointed at the opening of the prison. I never knew the Chief Guard to whistle or sing to the guardsmen in such a manner as to alarm the guards. There was something as one like between Mr. Beaumont and Doherty, but the Chief Guard was not present. I never saw any thing going with Mr. Beaumont was present. It was the custom of the Chief Guard or Deputy Chief Guard when on duty, to look the least gate of the prison. The lashing of the security gates was often left by the Chief Guard and Deputy Chief Guard to the guards on duty in general room. In such case the keys were taken in the guard's room. The keys taken by the Chief or Deputy Chief Guard, and a report made that all was locked and correct. I never saw the Chief Guard made for duty through fault.

H. KEMP.

FREDERICK HILL, sworn.—I am Prison Guard, was appointed about March, 1876. I never knew the Chief Guard to whistle or sing in the guard room in such a manner as to alarm the guards. I never knew the guards to swear or use any bad language even when the Chief Guard was present, without being checked. I was the evening of the Chief or Deputy Chief Guard to look the last gate at the front of the grounds, when on duty. I never saw the Chief Guard unfit for duty through the influence of drink.

FREDERICK HILL.

HARRISON LYONS, sworn.—I am gate guard: I was appointed at the opening of the Prison. I never heard Mr. Beaumont whistle or sing in the guard-room in such a manner as to disturb the guards, whenever there was any wrangling in the guard-room, Mr. Beaumont was present he checked it. I remember the 7th March last, Mr. Beaumont was [illegible] with Guards as usual: on that occasion he was not the worse of liquor. I never saw him the worse of liquor.

HARRISON LYONS.

THOMAS SHARP, sworn.—I am Bugler for the Convict Prison; was appointed on the opening the Prison in April, 1877; I remember all the circumstances I relate to [illegible] on the 7th March last. The words on entry on the back of the paper [illegible] the entries made by me in pencil Mr. Beaumont copied into another book; the two books carefully compared by me. I made the entries from my [illegible] my memorandum contained in the memorandum I accepted. I received the intimation of escapes as being the same day of its month as it is date mentioned in the entries. I was directed that the sentence must be made one day sooner which caused several sentences to be back.

Adjourned till 4 p.m. THOMAS SHARP.

Resumed at 4 p.m.

CAPT. PRIDEAUX, Warden of the Prison, recalled.—The copy of a letter to the Inspector from me, bearing date 17th April, 1877, and marked "C" now put in.

(Copy of Letter marked "C.")

WARDER'S OFFICE, CENTRAL PRISON OF ULSTER,
TUESDAY, April 17th, 1877.

SIR, I have the honour to inform you that since my discharging prisoner James Sproule, on the morning of the 16th inst., the sum of £19 belonging to the prisoner and which was supposed to have been placed with the purse and pocket-book in an envelope by the late Chief Guard he having ordered the envelope to that effect was not both

morning. [Endorsement.—Received £18, the property of a discharged prisoner, Jas. Brown, not forthcoming]. James Brown was transferred from Lowdon Gaol to the Central Prison, on the 9th August, 1874, and on that date Mr Fleetwood examined the prisoner's property, and having handed it over to the Chief Guard, the latter placed it in a parcel, or envelope, and after endorsing the same, deposited it in the safe. From the weekly appearance of the package, it is evident that it has not been opened, or moved, since it was placed in the safe; and it is also very evident, that although the envelope was endorsed by the late Chief Guard, as follows:—

No. 263, "James Brown," [solitary pocket-book, 1 purse, £18.8s., the £18 were never placed in the envelope. He (James Brown) being a two years' man, if convict paid the extra £18, and if town, thinks the accumulation, the Government will sometimes try being remembered."

Thos Gambier sworn.

W. S. Fripps,
Warden

Which contains a true statement of the facts alleged therein. Mr. Beaumont went to the safe for the package referred to in letter "C" I was in the office at the time. It was all screwed with nonail and there was no hole, rubber stamp round it. I saw it opened.

Thos Gambier by Mr Beaumont—[I am not necessary for Mr. Solomon's case the various packages belonging to prisoners at my presence when they were discharged, but he never knew it to be different from the money that were on money packages given out, as far as I remember, between 8th March and 18th April

W. S. Fripps,
Warden.

Thomas Sydney recalled.—I remember the case Brown. I always counted the money found in prisoner's possession excepting the money found on James Brown. I placed it in the package after counting it £18 bill 10 each, another each, 5 each silver, pocket book in my book-writing; the other writing in Mr Beaumont's; the book produced is the prisoner's property and pocket-book is not in that note; the date 1873, James Brown, the leather pocket books, £18 bill, 10 each American note, 5 each American silver" my writing in me. I put the package in as the law I had for the purpose, and locked it up to January, 1875, there was no order for me to hand over all prisoner's property to the Warden and I consulted with the order. I took the book and handed it over to Mr Beaumont, package for package. I can't say that I opened the particular package on delivery to Mr Beaumont. I am attached to money and there when I handed it to Mr Fripps at desk.

Thomas Sydney
Warden

Captain Price re-examined.—I have no doubt the package could not have been opened within six months of the time I saw it, as it was all covered with mould, and in taking off the rubber bands the marks were well defined

W. S. Fripps

Mr. Beaumont states that he got the package referred to from Mr Hoare that he has no doubt the money was as at the time he has not seen the package since until to-day he did not touch any of the packages removed from Mr. Hoare, unless the prisoner brought the cases was being discharged. he put all the packages received from Mr Hoare in the safe, and believes they were there when he left.

Adjd.

S. C. Wood.

Captain Price, recalled.—Had I known there was any sum of money I should have obtained the consent of the package with the book at the time Mr Beaumont left.

W. S. Fripps,
Warden.

Rochlle Sherman, sworn.—I searched for the money registered as belonging to prisoner James Brown, at the time of his discharge previous to this, I know nothing

about the money, the first I heard was when he was leaving, then was the first money of any consequence that was asked for by any prisoner after Mr Beaumont left, as he had time enough now and then a few five cents; the postage was modified and there had appearances of not having been opened for some time. I now mean positive instructions to write for money, and there has been no money to write for that I know of, since Mr Beaumont left.—Mr Hartley and myself had charge of the key of the safe, Mr. Newton only having charge during my absence.

RICHARD H. FERGUSON

Copy Prisoner's Letter marked "I put in Letter marked "

(Copy of Letter marked "I") by

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 6th May, 1876

To the Inspector of Prisons.

SIR,—I have the honour to report to you the following information obtained by me, connected with the sum of $187.87, the property of prisoner Frederick Willis, which he missing from the discharge of the late Chief Gaoler prisoner Frederick Willis stated that there was $187.87 belonging to him in the prison. Taking every item that the sum of only $8 could be in his possession at the time of the transfer, which was daily replaced in the property book, I referred to that book and found a memorandum in pencil inserted underneath the original entry as follows, "A pencil from Lizzie." The word have been written below mention after the decease of Willis. The pencil not being forthcoming, but only $1 00 be requested found in the possession of Willis who made to me the statement as stated, and enclosed "A." After getting this statement I wrote to the police magistrate who remitted him a copy of which letter as herewith annexed and marked "B," to which communication I received the following reply, marked respectively "C," and "D." I requested the late Chief Gaoler applying to see for money to proceed to Hamilton one day, and, attended to discharging unfortunate about a prisoner named McCulloch, who had made his escape. In the interest of justice this case Scotchman should be prosecuted, and I thank the best mode of proceeding would be for the witness Willis as my information against him before the Police Magistrate upon charge of embezzlement. Trusting this explanation will be satisfactory.

I have the honour to be, Sir,
Your obedient servant,
W. S. PRINCE,
Warden.

It was addressed by me to the Inspector on the 5th May 1876 contains a true statement of the facts alleged therein. The letter marked "B" above put in

WARDEN'S OFFICE, CENTRAL PRISON,
May 5th, 1876.

To W. J. McKinstry, Police Court, Hamilton.

SIR, I shall feel obliged by your informing me under what circumstances did Mr Beaumont, the late Chief Gaoler of the Central Prison, receive a sum of money from you in February 1875, the property of Frederick Willis? Whether you paid it to him personally and if so, when did the payment take place and whether he applied to you for the money?

The good enough to inform me of the particulars of the case I

Your obedient servant,
W. S. PRINCE,
Warden, C. P.

In a true copy of a letter I addressed to Sergeant McKinstry on the 5th May 1876 The letter marked "C" [illegible]

HAMILTON, May 2nd, 1898.

Capt. Peirce, Central Prison, Toronto.

SIR,—James Beaumont, Chief Guard Central Prison called at the office on the 8th February 1892, and told me that he was entertained by Fred Willis to get them on the sprees and take property I had belonging to him (Willis). I gave Mr. Beaumont twelve dollars and eighty-seven cents, and some other small articles of Willis's for which I took Mr. Beaumont's receipt, which is attached to the receipt book in this office.

I remain, yours respectfully

A. McKIMMEY

Is this copy? I received from Mr. McKimmey and the copy of a receipt—

"Received from A. McKimmey EIGHT pairs and pair of trousers, property of Fred. Willis.

"James Beaumont,
Chief Guard, Central Prison.

"8th February 1892."

In the one referred to in Mr. McKimmey's letter and was produced in his lieter Beaumont says pair is marked "8".

"Frederick Willis, prisoner Central Prison, states as follows :—

"Two Detective Police Officers arrested me in the Market Hotel, Hamilton on the 19th August, 1891. They searched me in the front part took from me a small pocket wallet containing $12.37. The officers took possession of it and states they would forward it to the gaol. I was transferred to the Central Prison with one other on my person. I mentioned the fact of the police having my wallet and money, to the officer in whose charge I was transferred (Mr. Beaumont). Shortly after my arrival at the Central Prison, I spoke to Mr. Beaumont about the money. He said he would write for it. After some weeks had elapsed, I spoke again to Mr. Beaumont, who stated that he had not received an answer, but that he would write again. A few days after this Mr. Beaumont told me that the Chief of Police at Hamilton had the money and that it would be forwarded here, and as about a week after this interview Mr. Beaumont told me in the evening he had not had received the money

"J. P. WILLIS

was made by prisoner J. P. Willis, the owner of the money while a prisoner. I think it was the acting Chief Gaoler who stated that Willis was complaining that money had been kept from him and having had only one dollar when he was freed. Willis at this time he seemed to remember, I could for him and the result was the investigation. I never heard of the money until this occasion and never gave any instructions to Mr. Beaumont to go to Hamilton to get money nor to write for any money. I never received by express or mail any money for Willis don't remember ever receiving any money by mail from a Constable or a police force for prisoners.

I know by the receipt that there was a dollar belonging to him and on opening the package found the dollar. I know the prisoner's property was taken at that time, to which the receipt "No 321, Frederick Willis, bill one dollar (in ink). then beneath, in the writing of Mr. Beaumont, I think it yeself, the following :—and person from Wm Main. (I never saw the parcel).

W. R. PARKER.

Mr. Beaumont states.—I received the money placed it in the safe with the envelope containing the one dollar as mentioned. the packet was mainly done up. the date I received the packet was 8th February 1892. I made the entry on the property book to refer to subsequent items from the entry made by it. When the statement by prisoner Willis to receive a more particular at the time Willis told me about the money being in it—after I requested it in the Warden, who told me to write for it when I got the money. I must have requested it to the Warden,—I can almost swear to it.

(Sealed)

E. C. WOOD.

RICHARD STEPHENS recalled.—Some time after Mr. Beaumont left, prisoner Willis told me to give a prisoner going out two dollars. I told him it was not allowed; a prisoner not discharged could not give his money to another prisoner. Some time after he asked me again if he could get his money to buy some clothes. I said, What money? He replied, Twelve dollars or his suit. I said, You have no such money. Willis, all you have is one dollar in gold he was seen he had, as Mr. Beaumont told him at dinner table one day, that he had received a note from the Chief of Police at Hamilton, with the money. I reported that conversation to the Warden, between the time that Willis asked me first and his second conversation. I went to the prison both and brought out to the Warden all there was on the suit, which was a pocket envelope and one dollar

RICHARD H. STEPHENS.

Investigation continued, 2nd November, 1876, 4 p.m. —

MR. BEAUMONT'S EVIDENCE AGAIN.—I am servant in the prison in Hamilton. I know Mr. Beaumont: I first saw him in the Central Prison: I was in the Prison on two occasions. I was discharged from prison in Hamilton. I saw Mr. Beaumont in Hamilton on the 6th February 1875: that may not be the correct date. I believe it to be the correct date. I saw him in the afternoon, in the neighbourhood of five o'clock at the police office in the City Hall: the lieutenant received him about a prisoner who had escaped, and said the least Willis had actually had to bring the money I had belonging to him. I went to the General Store. I got Mr. Beaumont's money. It was a ten dollar bill, a two dollar bill, a sixty cent piece, and a twenty-five cent piece, a penny a piece with a ring on, and a pair of trousers. I got him a hand of paper and he wrote the receipt I now produce on my regular book: it is known as a receipt book, and is kept for the purpose of taking receipts for money or property coming into the hands of the officers, and is issued to the owners. The following is a correct copy of the receipt referred to:—

"Received from J. McMurray, twelve dollars and eighty-seven cents, paper, and pair of trousers, property of Fred Willis.

"JAMES BEAUMONT,
Chief Steward, Central Prison.

"6th February, 1875."

Previous to sending that Willis ordered him to send the money, he asked if I had any money belonging to Prisoners Willis and Hunt: if so, to send them. The next time of my going into prison with a pass from Mr. Thomas Bowman, was on the 16th of April. Mr. Beaumont came until to-day. I never sent a parcel by post of that description: a any rate, if I had sent it by post, I would have registered it, if it contained money, making the money to be sent to the Central Prison, in all probability it would be on the letter by the Chief of Police.

A. MCMURRAY.

Adjourned until Tuesday the 7th instant.

Investigation resumed, 7th November 1876, 3 p.m. —

MR. Beaumont put in statement marked "B B."

STATEMENT OF JAMES BEAUMONT late Chief Guard Central Prison of Ontario.

TORONTO, 3rd November, 1876.

1st. In answer to the Warden's charge of being frequently under the influence of liquor I deny it the evidence contradicting such statement amounting from Mr Badman only whose interest in supporting the Warden to secure my removal was always apparent. The only particular instance which the Warden gives, and states was closely observed by and remarked on by the guards, having been denied by the first witness called upon, Mr. Mortimer who, to whom, never spoke to me. The evening of the 7th March, 1871 being subsequent to the preferment of the charges upon which my dismissal was based

should not be entertained to supporting this charge; anyhow, it has been denied by evidence upon oath. Count Rechteren's relation of the business included in the charge, is clearly untrue, as he states his new mad at 16 o'clock. Now it has been proved that not one minute of my room at 16 o'clock at all. It was impossible for Count Rechteren, who was locked in the corridor, to see me. Moreover Count Bose, who spoke to me twenty minutes previous to such time. The evidence of the cook and butler is, to say the least, unreliable, inasmuch as the cook he saw me but did not speak, and that was while I was standing under a portico after 8 p.m. in a place where there is no a single outside lamp. Telephone cannot be been paid on the fact of my being on my bed at midnight when General Spielmann was enquiry. It should be observed that until I was called, the bed was not disturbed. I distinctly deny having made paper on that day.

2nd. The Warden's charge—that I never reported an officer unless my appointment to office has been accidentally cancelled. This is false. I've been guilty to the officers' mess book, which shows up less than 8 cases, on to produce no statement.

3rd. The charge—that I was the leader of a conspiracy and living in the guard-room and allowing guards to wrangle and quarrel without cause. I must emphatically deny, and have proved the falsity in every respect, no general having confirmed the statement, but on the contrary all denying it.

4th. The Warden states I would have the Press when in charge, and results many for leave together with the members, which I most positively deny ever having done at, on any single occasion, but him have received by every soldier on charge that of Stedman and he only says he saw me off duty on one occasion, and then on evening work into two guards viz., Ballard and Doherty, the names of these two guards having obviously been obtained on their leaving the Prison and not by my knowledge whatever. It would further be remarked that, although Stedman says, on the occasion referred to, he knew I was on duty he admits he did not take any notice of it at the time neither can he, as this, as in most other cases, is my time of duty to take. The statement itself is contradictory, improbable, and most decidedly false. With respect to the case of the man in the hospital being taken across, as stated, on Wednesday, he will be noticed that it was in April, 1870, that pertains to the 16th I was then ordered to take the man across, and up to which time I always, as a precaution remained in Stedman's room; he states himself he was in bed on the time, before. It is perfectly certain that I had left, as we were never in the premises together at night, prior to the latter of the order above referred to, the 12th April, 1870. The Warden would he would bring people who seems forward to prove this peculiar piece of constant necessity and, although every opportunity has been afforded him to do so, he has on only entirely failed to do so.

5th. He considers it unnecessary to answer.

6th. With respect to my not having missed a point, which charge have been given by a guard on parade, for 16 hours after the occurrence is not only false, but a charge of cool and hearsay evidence. The guard in question having sworn that he did cause a point on parade and referred me of his own knowledge on which the charge is based. Neither I, nor any other possessor of the guard in question before parade took place.

6th. The Warden has also been clearly misinformed respecting Guard Lamparte, as I am prepared to swear I never paraded him for any duty whatever that note by, which his other heavenly rendered null show and which that one he further proved by testimony

7th. With reference to entries in the orderly book on the part of the officials of the Prison, which was alluded to on an investigation held by the Inspector of Prisons some time ago will be seen by the proceedings of which herewith enclosed, and I may remark that all the entries as the night referred to, Stedman being on duty, yet the Warden asserts I must have been aware of it. His assertion is entirely void of truth and not criticism.

8th. In the matter of the keeping of the register, I consider the explanation afforded by inspection of the books, and the evidence of the Bursar clearly proves to my satisfied, that no irregularity has been done as are whatever the statement not having been compared by me, but merely copied from the Bursar's entry numbers stating the instructions were at that time.

9th. The Warden's statement shows the sustenance and other punishment having been issued by me than they could not see the Warden, is true, so far as Mr. Nelson is concerned, it was known called up early one morning before the Warden was about, and I informed him of my instructions as per order of the 9th August, 1870, at which he left. Mr. Coal

cost us, state that the Warden was not in the least grounds as the time, and as he asserts

16th. In the matter of the keys, it has been clearly established that, the three keys not locked up, were the three kept in charge of the Warden, and which he sometimes kept in the office and sometimes in the house.

11th. Further, the charge of my explaining to communicate the Warden's orders was tried to be supported by Sherman's single evidence, and that contrary Deputy Chief Grand Newton, ensuring quite the contrary on personal knowledge.

18th. During the course of the inquiry the Warden clearly endeavored to establish an act of neglect on my part, in allowing Grand Master to absent himself from the Prison a portion of the night on the 21st June, 1875. How it has been clearly established, on the every best testimony of Grand Master, and as well known to other guards, that Grand Master would remain out of the Warden's watching party on an night in question, and was relieved by the Warden to continue patrolling outward, about two miles, and it was then 2 p.m. Further going further into the details of this matter at present, it must be observed that the charges presented against me by the Warden, must, not only in a large degree, be considered, but be completely refuted. It may have been noticed that, in the evidence of Sherman, the most essential point was —The firing of duties for performing the ordinary guards, viz., the inspection of the prisoners' cells, &c. This my position as Chief Guard, was to every possible way made necessary while was opposed to all, as I was debarred from the firing of duties to the inspection of the keys, which, not only details more work than any one man could reasonably perform, but directly use to be inconsistent on day, night and night. To conclude, I was repeatedly being called upon by the Warden to attend to matters connected with his private household, which, I could not but consider derogatory to my position which I held and which the acquitting discharge as well show. I believe, this now draw to bring my position down to a level with gentleman a, who voluntarily performed such menial duties, as washing the Warden's dogs, and taking exercise in the garden &c., while he should have been employed on the [illegible] duties. Hoping sincerely soon to pass [illegible] Prison, I remain, Gentlemen, Your most obedient servant, [illegible] was a single occasion to the charge of latent prisoner. I consider this case should be allowed to stand as he stood against me from it same who, during his service in the police, was not recognised by the police as of sufficient habits from self and whose rule of correspondence more his appointment as Warden can be proved. Further, everything the considerable I respectfully submit, my dismissal was brought about from, by false statements made to the Warder by me. Grateful it was intimated to me that my removal not merely by the strikes duties of the Warder to Prison not, lead me him to exaggerate as I still to their entire fullness and upon which more reasonableness my dismissal was so unjustly granted in an unjustifiable manner or on the grounds that a prejudice can be found. I the sole of another matter, by reasons I consider that it is necessary charge as required by us thing pains and having been taken was to not mercy to the few and remains my dismissal unjust and illegal

(Copy of Letter from Board Langman, referred to.)

School of Gunnery
Kingston May 17th, 1876.

H. Beaumont.

Sir,—I am writing this letter for Langman, in consequence of his being in hospital and unable to do so himself. On the Monday morning that I received to the General Prison, a little the worse of liquor, I was not punished by you or passed for duty, but was ordered to remain in the guard room that was before I had been on any duty that day. The above statement I am prepared to swear as being true. Any further information required in reference to the foregoing I will be most happy to give.

I am, Sir, Your most respectfully,

H. Langman.

Henry Kenyon, recalled.—I recollected a prisoner a corporal I think his name was Clarke, it was either Clarke or Smith, putting up paper hobbles and fittings for boots in the safe of the Warden's office after Mr. Hammond had left. It may have been some seven or eight days.

H. Kenyon.

W. H. Adams, re-sm.—An surgeon for the Central Prison was appointed at the opening of the Prison; I remember in 1878, on visiting the hospital, I was told that a prisoner named Williams, who was in hospital had taken an overdose of medicine the prisoner was even the effects when I came.

Adjourned.

Resumed.

John Ingham, sworn.—An prison build was appointed at opening of Prison, about two years ago; I think in July 1878 I was at the Central Prison in the office of the Warden the Warden handed me a letter to the Chief of Police at Hamilton, my recollections is that it was a letter from Capt. Massey to the Warden, and that the Warden wrote on the outer side of Massey's letter the order to me of the money here by me. I took the letter to Hamilton called at the Police office, enquired for the Chief, who was absent. I then told one of the sergeants what my business was, and he referred me to Detective McMenemy he had the money. I said I had not time to wait, and that I did not know Mr. McMenemy but to call the Chief to send the money to the Warden and he would send a receipt.

John English

Adjourned.

Original Papers referred to in the investigation of the charges preferred against Chief Constable Hammond of the Central Prison.

Hamilton 4th Nov 1878.

Capt. Pelton,
Central Prison.

Sir,—Enclosed please find declaration from Kenyon and Capt. Massey in the Scott mint matter. I think that ought to convince even Townsend himself, that he is mistaken. I am sorry I could not have sent them sooner.

I remain, Yours &c.,
A. McMenemy
Sergt.

I, John B. Rossiter, of the City of Hamilton, in the County of Wentworth, Constable, do Solemnly declare, that Detective McMenemy and I arrested Fred. Wells together Mr Massey took possession of his money and things, and I saw McMenemy pay Fred. Wells a receipt in a guard from the Central Prison, in the Police office, in the City of Hamilton. The money was said to a guard that was making inquiry about a note issued McCullough, who broke out of the Central Prison. I also saw him, the guard write a receipt for the money in the Police office at Hamilton.

And I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the act passed in the thirty-seventh year of Her Majesty's reign, intituled An Act for the suppression of voluntary and extra judicial oaths."

Declared before me, at the City of Hamilton, in the County of Wentworth this 8th day of November, A. D. 1878.

James Gibb.

J. B. Rossiter.

P M & J P

I, John Hickey, of the City of Hamilton, in the County of Wentworth, do Solemnly Declare, that on February 1879, I was Chief of Police of the City of Hamilton. I received a letter from Capt. Prince, dated the 27th January 1879, in reference to Fred. Wilkie money and in the beginning of February I remember McGregor who was then detective, coming into my office and telling me that he had paid Fred. Wilkie money to James Beaumont, Child Guard, Central Prison, and at the same time producing Beaumont's receipt for the same, which he admitted to the receipt book kept in my office. I can produce the money was paid on to Beaumont in the Police office on the city

And I make this Solemn Declaration conscientiously believing the same to be true, and by virtue of the act passed in the thirty-seventh year of Her Majesty's reign, intituled "An Act for the suppression of voluntary and extra judicial oaths."

Declared before me at the City of Hamilton, in the County of Wentworth this 9th day of November A.D. 1879.

John Hickey
Late Chief of Police.

J. White, Jr.
A Commissioner, &c., &c., &c., in and for the County of Wentworth.

18th April, 1876

SIR,—I beg to acknowledge the receipt of your letter of the 17th instant, informing me that on opening an envelope said to contain the sum of eighteen dollars, belonging to the person of Prisoner James Bowen, the said money was not found enclosed therein, and stating further that such package had been made up and was placed in the safe of the Chief Guard Beaumont. Before receiving you in this amount which you state was paid into your office by Prisoner J. Bowen I must refer further enquiries into the matter with a view of discovering who had been guilty of purloining the money, in order that such person may be prosecuted criminally.

I have the honour to be, Sir
Your obedient servant,
J. W. LANGMUIR,
Inspector of Prisons.

Captain Prince,
Warden of Central Prison, Toronto.

Intent Swindling—The Provincial Police against James Beaumont.

At Perth, this 21st day of May 1879, before me and my brother justices. In presence of Hugh Buckley Easton, Barrister-at-law, Clerk of the Peace of the County of Perth, and a jury sworn in this court in a Special Court of the 1st Crown, carefully tossed and affirmed, James Beaumont stands charged on complaint sworn at the instance of John McLean, Provincial Police Officer for the public interest, against James Beaumont, now at bar, prisoner. Perth prisoner, accused of the crime of Theft, or Goods of Theft, of a silver or other metal watch value as stated part. And on calling of said criminal Bar of complainant, upon the date hereof in presence of the said Clerk of the Peace, compared the penal and the Theft having been read over to him, and he having been interrogated thereon, he answered that he was guilty of Book of Theft, as libelled. The Provincial Police Inspector of the said

JOHN THOMAS.

The 23rd, in respect of the foregoing judicial confession of the penal granted and hereby grants warrant for committing the said James Beaumont to the Prison of Perth, therein to be detained for the period of one calendar month.

JOHN THOMAS.

Extracted by me
Sharpe Clerk of said County
Where not printed written by Adam McKenzie. Collated by John Thomas
Signed at Perth, the 19th day of December eighteen hundred and seventy-five years

Canonmissy 28th November 1876

From C. C. *Inspt Brady, 13th Instance.*

Imprisoned by Civil Power, for Felony, from 6th April, 1864, to 1st June, 1881.
Tried for Misconduct Convicted from 2nd June, 1881, to 23rd June, 1881.
Released by C. M. to Private, from 24th June, 1881, to 5th September, 1881

Sir,—In reference to the sheet of private James Beaumont, I find that the entries of convictions against him, are as per margin. You will notice that through there are three entries, the various terms of imprisonment were in two cases no more over a period of from 5th April 1881 till 5th September, 1881.

I am Sir, your obedient servant.

C. W. Pole,
13th Instance.

To the Warden Central Prison, Ontario.

The undersigned has the honour to submit for the consideration of Council the evidence taken by the Council investigation into the management of the Ontario Penitentiary.

It will be remembered that upon the dismissal of Chief Guard Hutchinson in March last, complaints have been made in regard to the Central Prison, but that as many were supposed to emanate personally from a discharged officials, it was not until some time afterwards, constitutional economy or attempt to hold an investigation.

Owing to the issue of the Inspector being fully occupied, and from other causes, some considerable delay took place and although the investigation commenced and determined in September last I should hold an investigation. I was not able to enter upon it until the 31st October, some month since, w ith the exception of two or three days, I have been continuously employed in examining into the affairs of the Prison. I have taken the evidence of all the officers of the Prison, and such others outside, as were supposed to be able to give any reliable information.

I may state that since the Central Prison was completed it became necessary to obtain every possible information, not only as to general management but also as to the needs of punishment of prisoners in similar institutions and for that purpose the Inspector, the Warden, and the Chief and Deputy Chief Guards made separate visits to several of the Industrial Prisons in the United States. I was not then a member of the Government, but after carefully considering the information I got, now to the conclusion that, as the part of Inspector and Warden from the opening of the Prison until the present time drove me from a determination to establish a Central Prison, not only that every law prison regulations, but also to adopt such a system of punishment as would enable the officers to enforce discipline, compel the performance of labor and secure order thereby accomplishing the object the Legislature had in view in establishing, but institution.

The most successful industrial institution in the United States took as its groups was separate and dissimilar. In the Auburn Penitentiary, and the system of punishment adopted in the Central Prison is not as severe, as to convictions, but to other purposes in the same as prisoners there.

Once having decided as to the kind of punishment, the application and severity must to a great extent be left to the discretion of the Warden and the supervision of the Inspector.

While all the Industrial Prisons in the United States have passed rules rules, as far as we have been able to learn, have framed no written regulations as to punishment, the severity and kind of punishment being determined by the personal sentiments of the officers in charge as the particular class interrogated by the different Boards of Inspectors, or those who have the power to determine. In searching punishments the Warden is guided by the nature and frequency of the offence, the previous conduct, and the age, health and constitution of the prisoner.

The evidence shows that there is eligible rewards to every part of the institution, that every effort is done in order and the regulations adopted by the Inspector for the management of the Prison have proved most effective.

It was impossible to foresee all the difficulties surrounding the management of the Prison, and the rules have been from time to time essential as experience was obtained

We have over three hundred and thirty prisoners in the Central Prison, a large proportion are effectual of the worst kind, some have served a term in the Penitentiary at Kingston, others as one or more of the prisons in the United States - others again are serving out a second or third term here. For the protection of the officers, for the safety of the Prison, for the proper carrying out of our contract with the Our Governor and in the interests of justice of the Province it is to be considered a place where escape is prohibited. It is imperatively required, that strict discipline be enforced.

Laxity of discipline would result in insubordination and in my; our grounds overturned, and the danger of our lives involved; a calamity being let loose on the country.

On the other hand, of the system the prisoners to work, obey the guards, and to submit to proper rule. The punishment of an officer promptly, and without favour, as a character as the wisest of the officers and the surrounding circumstances require.

Before entering on the remarks which the Government may think it my business by the Warden has been kindly consult, it is necessary to consider all the facts, and as I shall have the honour in a short time to submit a full report of the said of publication of the Prisons, and as far as possible, in similar institutions in the United States, I will defer giving my opinion as to the system adopted, or the punishment awarded.

Of course has been on record in the part of the Warden, in awarding punishments; I am satisfied it has not been of a serious character, and has been, from no favourable as the part to be unnecessarily severe: but which may be considered necessary to the discipline of the prison. The severity and inadequacy of Mr Stevenson may have induced the Warden to adopt a more severe punishment than himself is accustomed to; a subordinate. Mr. Stevenson, formerly Deputy Chief Constable, and for the part few months acting Chief Constable, as such, intelligent, honest, and conscientious, and of good disciplinarian. The Superintendent, Mr. Langmuir, has been necessary in a letter dated May 30th, 1874, addressed to the Inspector of the Asylum, Prisons and Public Charities, for the past year, which he has seen fit to make the Warden's Residence has, for different prison officers, and I affirm no discussion to question with the letters dated of the Warden, and qualified to fill any position somewhat with a view to the Warden's duties; and as a proper person to occupy. My duties although performed in many of the qualities necessary to the proper discharge of the duties of a deputy ser- ious to Mr Stevenson.

The Prison Surgeon Dr Allison who visits the prison daily and is an constant consultation with the acting Chief Constable spoke in high praise as to his ability as a physician, and as a man that does not believe him to be a moral man. The Warden of the prison officers as a matter that is does not believe him to be a moral man and says his character. "also in his existence, gives Mr. Stevenson a high character and says his character." was the proper and necessary of the discipline of the prison. While the evidence proves that Mr Stevenson it is many requests a good opinion is not sufficient to the fact that he has been unnecessarily severe in the punishment of prisoners. Mr. Langmuir, in his letter to the Inspector, has placed his resignation in the hands of the Government, which I respectfully recommend should be accepted.

I have much pleasure in stating that the reports as to guards being unfairly treated by the Warden and Chief and Deputy Chief Constable, are unfounded, and altogether, are untrue.

All the guards have been questioned on this point, and their reply unanimously was, "We have not seen any of Stevenson" in the treatment of the guards on account of their religion.

Every supervisor I was given to the different prisons commenced to make a full statement, and being assured that the evidence he might give would not affect his position as the Prison. He is a Captain Prison. I should think that there has not been any evidence given reflecting in any way on his personal character, and I feel bound to add that the present state of the prisons, and the discipline is from there was highly creditable in him as Warden, and it must be gratifying to him as it is to me, that, after an exhaustive and searching investigation neither has appeared reflecting on his management of the prison further than might be thought upon any efficient warden and strict disciplinarian

Our Central Prison is second to none in America. Its management is equal to any and much of the credit of its success must be attributed to Captain Prison

Respectfully submitted

S. C. Wood,
Provincial Secretary

Toronto, 19th November 1874.

Toronto, 17th August, 1858.

SIR,—Certain rumours have come to my ears, and doubtless have also found their way to members of the Government, which cannot but seriously affect the characters of many of the officials of the Central Prison, if not my own as Inspector, and which as all good men must desire, from a Government stand point, are calculated to do serious injury to the prison itself, as one of the institutions of this Province. It is not that these rumours have, so far as I can discover, been at all affected by persons who have been dismissed from the prison service, or by disaffected officials now in the service, and should therefore, under ordinary circumstances, and are only known, be taken "cum grano salis;" still I am of opinion that a full and searching inquiry should be made into all the matters and subjects that are so prevalent, and into all matters connected with the management and discipline of the prison.

As I am informed that one of the charges preferred against me is that I have accepted various officials to procure commissions, and in my capacity generally, as Inspector. I would respectfully recommend that, in the interests of the prison and all concerned, the examination be conducted by two members of the Administration. This seems to me to be the more necessary as I have recommended for promotion and advancement, one of the officials whose character is most seriously assailed by these rumours.

I am,
Your obedient servant,
J. W. LANGMUIR,
Inspector

The Hon. the Provincial Secretary.

INVESTIGATION into the General Management and Discipline of the Central Prison, held in the office of the Central Prison, commencing on Tuesday 31st October, 2 P.M.

THOMAS HENRY, sworn.—As Bearer of the Central Prison ; at the opening of the investigation I had charge of the cutest ; the Chief and Deputy Chief Constable, myself, the latter, were overlooking, and transport in the workshops ; on Friday would always act as officer in irregular hours, and dressed the delivery of stone,—sometimes weekly and sometimes on slips of paper without any requisition ; at that time there was no Bearer of Requisitions ; those demands were made in an overbearing, disrespectful manner ; I cannot remember the language or nearly the exact words ; about 11 I was told by the Deputy that it was time to take the orders of the Warden, and that he knew no other authority ; a copy of rules were produced and handed to me by the Chief Guard by order of the Warden. He said that were the 6th portion of the rules, and that additions and alterations, to my copy, were to be in the accompanying manner of the grants referred to, or to the delivery of stone. I took a copy of "Rules" to Mr. Jackson who told me that the offices established at the time were to work on whatever after that especially after the delivery of the stone was handed over to the Steward, I questioned my own authority, but was told by the Deputy that the Deputy said ; the office for the Chief was a more sweeping one duties and that the Deputy objected to his (the Chief Guard) position as his way to a higher ;—meaning the Wardenship ; this was the impression of the Rev. J. Strachan McClellan ; he said that the Deputy Chief stated in the guard room that the Warden could not any more ; the Prison, reckoning myself. I frequently heard expressions of hatred to others, especially the Bailiff, Steward and Clerk, on the part of the Chief and Deputy Chief Guards, and against one or two of them whom I esteemed the most reliable and respectable of the grounds, viz.—Cashier, Assistant and Steward ; two of these men told me they were so annoyed by the arrogant and overbearing conduct of Deputy Chief Guard Sinclair that they were obliged to leave their situations in Kingston. Some two years ago Assistant and Cashier Steward personal to his hearing told me he intended to resign on account of treatment he had received ; he did not state whether it was Beaumont or Sinclair he complained of.

I consider the treatment of the prisoners by these men (Beaumont and Sinclair) on what I considered good evidence, especially of those who lived in outward dependence with

a view to escape, as unnecessarily severe. Millett, a Hospital Guard, and Chrisman, the Engineer, were among the persons who gave me this information. The rate of mortality there in the concealed criminals were shocking by the guards. Chrisman told me there could be found outside of the Prison ground, and Millett told me in new Mexico besides. I cannot state how many were beaten. Mr. Millett did not tell me how many he spoke of the severity. prisoner Hunt, who was allowed to write me in my office, in the summer of 1874, and who was highly spoken of by Sheriff Mason of the County of Hinds, told me that Mr. Beckham called him 2 or 3 times a day and cursed him, and the profane oath against the officers of the Prison, and instructed him if he, the prisoner, would give him, Beckham, his confidence, it would be better for him. Hunt's not responding continued on him being harshly treated by Beckham; he showed me a mark on his wrist, which I saw myself, where he had the Prince, which he said was made by Beckham striking him with a hooked stick; because he was sick on his shoes which he had refused to clean.

About this time I was temporarily absent, and on my return I found he had been removed from my office, and was employed in the Prison. I called for the information, which was not granted until I complained to the Legislature, who ordered his return to my office. on the 25th October, 1874, at about 3 p.m. I received the following Resolution from the office of the Inspector to furnish a list of the names of the 288 prisoners then naturally in Prison, to the Car Company on the following day; to do this, and to prepare a copy to retain, I required to be taken to the office in the evening, and told the prisoner I cannot not leave the office at 5.30 Beckham came into the office, and instructed the prisoner to go to his cell, without speaking to me; he locked from his work to me for direction, and I explained to Mr. Beckham the necessity that existed for his remaining, he told he would see the Warden about it, and went out. I then proceeded to finish the list I had taken. Beckham I knew was not short the day before he was discharged. Hunt told me the Deputy ordered him to be done, he was scratched after I was out, and many were the insults he received daily. I had the Record for several days after his discharge, until his fate given me that I could go out and see the state work. I found that Mr. Norman and he would pass a story to others taking their friends through the prison without a pass. This was in the summer of 1874. A short time afterwards I learnt that an order was placed in the books to that effect. As I expected some friends of mine to visit the Prison, I spoke to the Warden also the order who said I was not intended to apply to me, but only to be Steward and Clerk. I am not certain but I think it may have been under the head of me Mr. Cantley the Steward, who told me what Beckham said. On one occasion, when two friends called on me, we went to the house on the invitation of his Wife Guard the Warden's residence, they escorted the Ward Guard, as I was not authorized. I had formerly a privilege to assist me in the spring of 1871, I asked for the continuance of a prisoner to assist me in my office, but was refused, but on application, subsequently, although a prisoner is allowed to assist the Storekeeper. (Letter marked " A " now put in.)

Copy of letter marked " A."

Penman's Office,
Central Prison of Georgia,
Toronto, 5th October 1875.

Sir,—I have the honour to call your attention to two occurrences in the working statements of prison labour supplied to commissioners, which have been made to me. I want to pass either to me the Circal Guard, by whom they were prepared, with a view to having them corrected. Its being shown from the official I left a message, requesting him to come to my office to make her corrections, but subsequently received a reply that he was forbidden to come, so that I have failed in getting the matter explained, or correction, if necessary made.

I have the honour to be,
Your obedient servant,
Thomas Moat
Penman

Captain Prince,
Warden, Central Prison.

This letter is one that I sent to the Warden on 6th October, 1879. On the back is the Warden's reply and a note by Mr. Sansum the Chief Guard.

Copy of reply

The Chief Guard has reported me culprit of the blind. He shall attend your office to-morrow morning. He is on leave to-day

W. S. Purser,
Warden.

Note.

Mr. Sansum—In reference to the above, the Warden distinctly ordered me not to go to that portion of the Prison in which your office is placed, except once a day to draw stores. When I reminded him of that order he told me he only intended it to refer to the store-room.

Jas. Beardsley,
Chief Guard.

The Chief Guard told me he was told especially that the reason the order referred to in the letter was given was, "that there was his sighing going on in the office," meaning my office. On Saturday the 27th May 1876, I sent the Storekeeper to the Warden's office with a pay sheet to sign, and a cheque to hand to him. On the Monday following an order was placed in the book containing orders, except the Inspector, the Chief and Deputy Chief Guards, to enter the Warden's office. Mr. Sansum showed me the order and explained that it was intended only to apply during the Warden's absence; subsequent to that order, the Storekeeper mentioned that some visitors were wanted. I told him to make out a requisition, and get the sign recal of the Warden in the usual way in Penn going to the City. He perused the requisition and went to the warning room, and was told by the guard that, although the Warden was in his office, he could not enter neither could he, the guard, go in with the requisition. Mr. McCarthy can give the names of the guard (copy of order referred to and marked "B," is now put in.)

"Criminal Prison May 29th, 1879.

(B) "It shall not that the door of the Warden's office is kept closed, and that no person enter therein in the absence of the Warden, except the Inspector of Prisons, the Chief Guard and the Deputy Chief Guard Per Saturday afternoon, 31 accommodation with the Steward Department shall be closed after 2 o'clock."

I am convinced that there is a disposition on the part of Sheriffs, to hound down and annoy the Storekeeper. As a business, the supplies connected with a well-managed Prison, which had been employed, a few years since as butcher or and who had served himself clear, saving, and well, and was thoroughly conversant with the duties required, he must alleged, effects somewhat, consider he was promoted, and afterwards once to work at the more pile instead of being promoted he had to clean in the stores, and another man was sent in his place.

I find on the press at the end of the book No. 3 prisoner from Newcastle Sheriff's Sessions, had a very bad reputation certain. It had always been the system before that when a man is likely to be discharged from his position to be dealt with kindly, so that the new man may become interested with his duties. I spoke to the Warden about this man being taken away and thinking from fifteen years in a place, but nothing was done. At the time I spoke to the Warden, I knew nothing about the character of the new man. During the past year I have no reason to think that the Catholic guards are not treated fairly on account of their religion. I have not seen any brutal treatment of prisoners at any time. As far as I know there is no necessity to his duties. A short time after the opening of the Prison, it came to my knowledge that some prisoners should had been set up, and made into under-clothing for Mr. Seaham. Some of the pieces left were brought into the store. Mr. McCarthy (the storekeeper), may have been the party who told me. I have heard that Mr. Seaham received articles made by the prisoners. Mr. Meredith was to one time bailiff of the Court.

Thomas Henry

Investigation adjourned till 9 p.m. to-morrow the November

Investigation resumed 1.30, p.m., Wednesday, 10 November, 1976.

JOHN KELLIHER, sworn.—Am Prison Officer and was appointed at the opening of the Prison. I have not been in a position to see any set of articles in the nets of the officers of the Prison and never did see any. About a year and a half ago I was doing duties in Limekiln Section from the Prison. Sometime before that (about three weeks), I was in the Prison and heard the yells of a prisoner and the sound of blows. Charles Mitchell and Gilbert came into the glasshouse, and said that there was a dead body in a cell. I replied, "Why did you tell him?" They said that it was not they who did it, it was Stedman. They said he struck him (the dead man), with a shovel and beat him on the head and battered his head against the wall, and threatened the blood out of his head on to the wall. When I got to the Section and they had gone endeavoured to find out who was dead. Some one definitely showed, and he told it his duty to report the case to the Governor. That he knew I had not concealed the case of anything because the matter was out of my hands. He also said they were likely to throw pennies. The deceased's name was Edwin Lewis. About fifteen minutes I was in Hamilton. I was in the Court House when the Coroner's Court was going on. The Coroner's Court was presided over by Mr. Judge Gunn. I saw Stedman there. He was in the witness box. The prisoner stepped to be sent to five years in the Penitentiary finished, saying he would rather be sent to hell for a year than sent to the Penitentiary for five years; he declared that he had escaped when three before, and the Judge gave him two years on Kingston accordingly. Cash Hussey, the Governor of the Prison, and Judge Gunn, were present. About a month ago I was in this Court in Hamilton, and heard a prisoner say he was sent to the Penitentiary for two years instead of one at the General Prison. He was the Judge's son. Cash Hussey, the Governor, will know the name of the prisoner also. I have heard of countless acts of cruelty, but could not give names.

I have not been satisfied with the treatment I have received. I have been locked out, when other men were, when lounging in the Prison. One time I was locked out. I rang the Warden's bell and he (the Warden) told me he did not answer bells. I replied that I heard ringing at the Prison on the 16th April, 1976. Frequently when coming in the Prison with prisoners, I have been kept waiting at the gate for a long time. I have been kept out for over half an hour on many occasions through trouble or prisoners at the Prison. It was about 12.30 o'clock at night. I rang the bell, but no one answered. Several times I rang the bell. I then rapped on the window and heard Frank Prior there at once in the morning. I was on Night Service two months ago. Stedman came and told me that the Warden wanted me. I went to the Warden's office. The Warden asked me what the devil I made such a noise for in the night. I said to get in. He said that when I got outside from the time I rang the bell the guard opened the door. He said Mr. Stedman told him so. I told him to call the guard. He said he was in. I heard Stedman tell the Warden afterwards how he got in was from the time I rang the bell until he (Stedman) opened the door and he (Stedman) and the prisoners, Mitchell and Gilbert. Stedman told me it was night and he said, Yes, of course. I asked him if he had seen a prisoner there anywhere near and where one was missing me and I asked the Warden to send for Prisoner the guard who did let me in. Mr. Stedman told me afterwards that Gilbert and Mitchell were on the guard the night before. Guard Fraser came in, and I asked him if when he let me in last night, he (I am sorry, I mistook Stedman for Fraser) told me when he (Fraser) let me in. He said he. Stedman said he was awake, as he knew the prisoners were coming up. Fraser replied, "I was until you awakened me. I do not know whether you were awake or not." Immediately after that he Warden gave me a key to do. I have used them. About six months ago I was in the Prison one night when a fire broke out, was sent for. I proceeded to take how to the water closet when Guard Dean stopped me. He said there is an order on the book to prevent any children going through the door. I then went to the Warden who ordered the guard to let me through. About a week ago the same thing occurred again. Guard Mansell was on guard. He opened the gate and let me through. When I came back Guard Mansell told me Mr. Stedman stood on the outside barring me through. Mansell said he did not know it was wrong. Stedman told there was an order to the book against it. Mansell said he never heard of it, that it never was read to him. Mansell and Dr. Agnew (the surgeon) brings in children in, and why not the Prison matron?

I have been told by discharged prisoners that Stedman questioned whether I were there. Square at the Middlegate House as the way to the Press.

I have given the prisoners liquor, but not lately. Mr Longmuir (the Inspector) told me he was wrong to do so. Prisoner Mason from Brechin-jile was here before, and was discharged the second time, he obtained a pass from the Warden.

About two years ago I saw Guard Pollard O'Brien, and others, drinking liquor in McCurdy's room. I have seen cards lately played on the prisoners; I saw Pollard very drunk in the guard-room. I have seen Stedman under the influence of liquor twice. I never saw Longmuir or Stedman present at any time when anything was drinking was going on, or when there was quarrelling or wrangling going on. I have never given any information to any one connected with the press as to the transactions in the Prison.

Sheriff Allan? I never knew Mr. Stedman call, pointing to the Bureau's chair that I mean, was fated for him, and that he would soon have it. I have not noticed any difference shown to any one in the manner in which he was received.

DAVID MCGLASHAN, sworn—Has stockkeeper. I've appointed on the opening of the Prison at the time when the prisoners received illuminating oil, to clean it, cleaning. I found their orders when they were charged. They remained very loud. Guardsmen was one. I forget the others. I can only say that I have known them. I do not mind the first prisoner afterwards. I was myself for two or three days after this from the effects, in-long never seen anything of the kind before—this was about time after the prison was opened. About April, 1878. I have seen him that is going on on this prison, being confined in the cell-room. Since April 1878. I have seen him that is going on on this prison, Prisoner Wilson, who was dubbed the "Duke" was bringing in milk by the upper door at the storeroom. Stedman said, you must not go in by that door you must take it up by the lower door. I am Governor of Mr. Stedman. I am full cross, and I think I've forgotten upbraide and anderson him.

I remember prisoner Black, I knew his talk was not always the day he went out. They left it because said out.

Mr. Stedman did not say to me that he would put a stop to officers taking their meals in the guard-room without a pass. Have changed prisoners. I was not in going to remember. Consider the prisoners are told for. I was there in a room, the quantity in meals is reduced. When the instructions ceased, the officers were talking about a prisoner quarrel for every body and it was stated that one about was out my for a pair of drawers for Stedman. I have never seen or heard of any quarrel.

We were hardly opened when the prisoners were prevented from handing down what Fellow Rooney was holding for service. Stedman was the first to confess that they were not to bread from. Fellow Rooney demanded to see the Warden. Stedman said "go on," the prisoners might break down. One Sunday Stedman kept his bed or during the Catholic service. He was ill that day. I heard the Warden say to Stedman and Stedman, they were to bound on down. I said to the guards, I want you to bound on mind." I do not mean that, I mean that you're to watch him as an ordinary a means. One other occasion, when Guard Gowans I as appointed in the absence of Mr. Stedman, I was appointed by Mr. Gowans, I do not.

The first Sunday he put in an appearance he was seen by Deputy-guard Sandman on his breast. He (Stedman) came round to the cell and returned with the Reverend, Mr. Sandman—Reverend, you have seen that man in, he is a Papist. If the Papist was Sandman Reverend, you have seen that man in, he is a Papist. If the Papist was there he would not have done it. That Reverend told me Guard Gaffard had Mr. English that Stedman called him on the Warden's office on his was coming down the lower one Sunday afternoon in company with me, and said now I would you to help me to get rid of those two Papists. Guard Lyon, I stated to me the same thing. Among an interruption from the Bureau on the 27th May or thereabouts I took a pay slate for the Warden's approval, and was not allowed to enter his office. Guard Wood was on duty and he said he could not go in with a prisoner, no guard other than the chief and deputy being allowed to enter that room. The same morning I wanted to go to the water-closet, and had to appear to the guard where I was going. Mr Stedman standing by hearing. I felt that Stedman and myself were opposed to me. I never saw Stedman or Sandman under the influence of liquor. I never saw Stedman or Sandman or I never gave a information to the press regarding the affairs of the prison, except state-

ing to Parish Boyle, that Captain Fabian and he would "hound me down." This fac-simile Morgan gave every attention to any complaints I made.

R. McGARTY,
Storekeeper

Thomas Mawhood, sworn.—Am acting Deputy Chief Guard. Have been guard since 6th July 1874. I had served in the Royal Artillery nearly 25 years prior to my entering the prison. On the first Monday when I commenced duties service in the prison as 6.48 a.m. I was falling in the premises of gallery No. 2 when I heard a noise in the upper part of the gallery, and on looking round saw Mr. Workman standing prisoner within the cells with a warning mask. Workman said, "You can come in for me, with that." He struck him five or three times on the head. The prisoner cried out and fell on his face, he is an old man of 65. I have not seen any other case of cruelty. I have seen no difference in the treatment of the guards by the Warden, Chief Guard, or deputy, on account of their religion. I have known of late of instances which appeared to be leading to trouble without their ever being first reported to the Warden. One in the case of Hiram Ryan. I remember his case as he made a great fuss in going there. I recollect the case of one man being put in irons by the order of the Warden they were put on in change. Guard Gilford was present. Guard Gilford reported the prisoner for refusing to work, as was working (this was in the winter of 1876). The Chief Guard received the written report signed by Daniel Wall, and consequently heard the prisoner. I was in the Warden came in Mr. Rossmore reported the case, and the Warden ordered them to be placed in irons. I placed some of them on myself, and I was doing so, the men complained, and said they were brought in unjustly that there were 54 men of their gang subjected already to the same.

Adjourned the investigation, and resumed at 7.30 p.m.

Daniel Mawhood recalled.—They stated that in consequence of there having been twenty-four men around the sea there was not sufficient room for all to work in, and the guard (Gilford) in charge had said "Stand fast," and consequently the Warden judged he informed of it. I told the Chief Guard (Rossmore), and he told me to inform the Warden. I did so. Mr. Rossmore, Daniel Wall, and some warden were in the hall when I informed the ex-prisoner. George Newbolt, a prisoner was placed in irons by Sweeney and James Hickey, a prisoner was placed in irons by the Chief Guard, Rossmore, for refusing to work, first reported to the Warden. To a new man January, 1876 and some time in 1876. The other day a prisoner—my present—a mate by the name of Sweeney reported he was deprived of his bed for the night. I reported the case to Mr. Sinclair who found he was not deprived of his bed. His case was not referred to the Board. I think Mr. Sinclair sometimes was rash, sufficiently in ordering prisoners to punishment without first reporting to the Warden. Prisoners have complained as to the sufficiency of food. I consider the food now furnished sufficient. The complaints are that when supplied the men complain it was rotten and unfit, instead of good quality and then the men complained but these circumstances are rare. The cooking at times as above men say too watery. No one ever complained to me personally except Guard Cooney. I do not think he ever made one. He could not be trusted with a pencil. I have found Cooney. I consider him a fit man. Mr. Workman has been in charge of the cleans made in the Prison. I don't know whether he furnished any of the material. He had an Indian Constable and he had not more than two men named Collingwood. I was absent a couple. I know nothing about his getting irons. I got permission from Mr. Sinclair to get a glass case for an ornamental chest which was done, and I had a picture painted. It was painted in my own room. I know prisoner Wilson. He was employed writing ornamental book work for Mr. Sinclair also especially very work. He was employed for a considerable time. He worked a bit out and Mr. Sinclair's room. I think was working in an order issued by the Warden forbidding work if this kind. I knew prisoner McCarthy. He was employed repairing the south branch library and in Mr. Sinclair's room. I recollect a watch being refitted by. I don't recollect the guards who took part in it. I have never given any information on the point respecting the General Prison. The watch-box under the Wicklow gate made since the order by the Warden forbidding working at that.

R. MAWHOOD.

PATRICK MCCORMACK, sworn.—As a Prison Guard, was appointed on the 12th May, 1875: of my knowledge I do not know of any cruel treatment towards prisoners on the part of the officers of the Prison: I have not seen any difference in the treatment of the guards on account of their religion: I have no complaint to make and know of nothing wrong in the management of the Prison: I have heard of acts of the single men who are guards complain that they had more to do than the married guards: I have reported nothing to the gross: I have seen Mr. BARRETT under the influence of liquor more than once.

PATRICK MCCORMACK.

RUTH EDMONDSTON, sworn.—As Prison Guard, was appointed 18th September, 1876; I have seen prisoners punished, but I do not think they were punished any more severely than they deserved, but I have seen prisoners under punishment when I did not know what they were punished for: I never saw a guard strike a prisoner: I have never seen any difference in the treatment of guards on account of their religion: I have never known any dishonest act on the part of a guard: I have seen prisoners working at their work: I have never reported anything regarding the Prison to the press; I think the food furnished to the guards should be made more palatable: the fault is in the cook: I had nothing against prisoners belonging to my gang reported this month: I complain when were sick: I sent them in to see the Doctor and they were sent back to work: I do not know whether the Doctor ever blame or not: saw prisoner WILLIAMS who is a few days ago confined to the hospital, and afterwards died of typhoid fever.

DANIEL EDMONDSTON.

RICHARD FARRELL, sworn.—As Prison Guard; I was appointed 22nd May 1876: I know nothing of the cruel treatment of prisoners; never saw anything of the kind since I came here: I never use any personality in the treatment of the guards, and no difference whatever on account of religion: about three months ago one of the prisoners got under mast in his bed as shown them—Mr. Sheridan saw him do it, and threw the mast out on the table: after removing the mast from his bed, he gave the prisoner a slight kick which would not have hurt a child, and made him stand up until the other prisoners were done: I have nothing to complain of: the single men complain that they have more to do than married men: I was complained to by the married men: I do not consider the single men do not do enough: I have not reported anything regarding the Prison to the press.

R. FARRELL.

WALTER BUTLER, sworn.—As Prison Guard; was appointed 8th March last: I know nothing of any cruel treatment of prisoners; I have never seen any difference in the treatment of the guards on account of their religion: I have reported nothing to the press: I have no complaint to make.

WALTER BUTLER.

W. J. MARSHALL, sworn.—As Prison Guard; was appointed on 18th January 1874: I was in the metropolitan police, and in the Surrey constabulary, previously to coming here. About two years ago I was in charge of a gang working in the local grounds. One day while I was marching them out of the yard, one of the prisoners named Richard Jones, an old man, had his left hand deep swollen, and Mr. Sheridan struck him with a stick over the hand, and the man complained to me afterwards that his finger was very painful. The finger took to swelling and some months ago afterwards the nurse who seemed to take proper off on another occasion I think it was the shorter before last, I was on duty in the yards with an night patrol: suddenly I heard a violent shouting, and the words "Cops, Prisoner assaulted" uttered loud. I went upstairs to the top gallery and there I found a prisoner, Richard Lowrie still shouting. Cops, Prisoner. I believe that he had become deranged. His friend, one who was on change that night came out of the guard-room with ex-sheriff Ireland, and A key was produced to open the cell door a key for X. Sheridan went up the iron staircase till the time had reached the second landing, when the man with the key, Lowrie shouted, murder! Mr. Sheridan threw him down on the bed and his head struck the wall

and bled. Mr. Stedman then placed a wooden peg in his mouth and his hands handcuffed behind him; this was about 9am at night. He was left standing on the bed. I went up to see him in about half an hour; he appeared to be all a heap with his head down on his breast; when I spoke to him, he roused up his head and I found he had got under the cap. I made a report of the disturbance on any note book on a sheet of paper, and reported to Stedman and Beaumont. I did not report the striking with the key. He (George) had struck with his hands behind him; within an hour Stedman asked me how the prisoner was going on, and if he was quiet. I told him he had got the peg from his mouth; I think he said he had him. Mr. Stedman did not give me any instructions to take the cap out of the prisoner's mouth if he became quiet; I don't know who removed the handcuffs; I have that he was not treated all night. I had thought by some time he was insane. Stedman struck him (Lewis) once the occasion I've before I left the key in two hours, and it struck of mind left in his in disorder and I think would weigh two pounds. I should not say that I called that a severe way to the prison purpose. Mr Stedman had some chairs manufactured here, I do not know whether he took any away. I understand they were for the use of the prisoner, but I cannot say after they were finished. I never saw any partiality shown the prisoner by the Warders, Child, or Deputy Chief Ward; and no ill-feeling or unkindness to him. I think I should not expected anything to be done. Prisoners have complained, of the food he was not being sufficient, sometimes there was none. I think the quantity of food was not sufficient when was not sufficient. I have seen no favouritism as to treatment of prisoners. They seemed to be had blood between Beaumont and Stedman; I never heard them quarrelling.

W J Mansell.

Henry F King, sworn — 4th Prison Ward, was appointed 19th February 1870. I can say I know of any cruel treatment of prisoners. When I first came, prisoners were confined in cells all night and were not let down on their hammocks. What is now done now, the guard lets them down at ten o'clock to see the buckets. I have seen no difference in the treatment of Convicts by Capt. Prince, or the Chief, or Deputy Chief Gaoler. I have reported nothing to the prison.

Robert K. King.

Robert Lennox — called — Examined. A prisoner was known by the name of Mitchell for the purpose of escape, by the Chief and Deputy Chief Gaoler, and using a rope and the other a knife; this was about January 1878. I did not see him beaten, but afterwards when he was placed in the Cell of [illegible] I saw him he was covered with weals and bruises. He suspects was not present at the flogging; the man was very much ashamed. Sharwood showed me the cloth it had to be bled, and it was over half an inch in thickness and was broken up. I was twelve months in charge of the north wing, and saw a good many prisoners put in irons. After one had been up for several hours they would be very much exhausted; their hands would get out of and their arms paralysed, and in many instances I have found the men have answered to be calls of nature in their clothes. As a rule when they expressed complaints they were taken down, but if seen at night they remained until six in the morning. His long sense, about the end of August 1876, I found a prisoner in a hunting condition, — corridor guard. Dutchie discovered him and told me. When I went to him he was hanging by his hands. His name was Hawkins. In less of that punishment I would suggest a longer term of bread and water in a dark cell; the dark cells are badly ventilated, there is one cell, but no other for fresh air. I have been in the solitary, the punishments were practically dark cells. I am acquainted with the system of punishment in ordinary prisons, and punishment is seen to [illegible] are restricted to except to extreme cases. I think that no one should be punished without the Warden being present. I think the Warden's authority to punish should be limited.

R Newton.

Adjourned till 10.30 a.m. to-morrow

Investigation resumed at 10.30 a.m. Thursday

Kieran Kiernyar recalled.—I knew prisoner Lewis. I saw him very frequently, the general opinion of the guards was that he was insane; that was the opinion prior to his being struck with a key by Mr Sheldrake a month before this I thought him insane, he was under observation by the guards constantly. I cannot say that it was by others. I had not spoken to under him to but been confined to his cell 3 fortnights before Sheldrake struck him. Before this Sheldrake he was particularly violent, and was quiet at times: he would say that his and another party had murdered a man in the Shrine. I heard him say this: I believe reports were made by the guards that he was violent. For weeks before he was placed in his cell he would sit for hours in the dining hall, end of the floor, or any one else spoke to him, would burst into tears, and say he had murdered a man in the Shrine.

R. HUNTER.

Mr Gregory sworn.—An Prison guard: was appointed at the opening of the prison: about May 1895, Sheldrake struck prisoner Edwards, with the palm of his hand, in the dining room. the prisoner had a piece of bread in mouth in his hand. Sheldrake struck him with the palm of his hand in his face, and then took the bread out mouth from him. the first occasion we heard Mr Sheldrake used to strike prisoners was when the governor was present. I myself struck him the very, he had struck prisoner Lewis on the ear. I struck him with the palm of his hand in his face

notorious when Mr Stedman came rushing up, and asked me "If I saw this Instruction." I said no, what do you mean? He said he would see me later, and he reported me to Chief Guard Sammons. Mr Sammons came with him to the bath house, and asked me if I was there before four? I said "yes," that my foreman gave me his number to get over to the bath-house, and that meanwhile Guard Uniacke's gang coming down from Kellogg I thought I was right in going up and getting ready to bathe my man. He replied it was all right, he saw nothing wrong. Mr Stedman met Uniacke's gang going from the bath-house to the prison, and did not report him I was in charge of the lumber yard gang, and supervised the gang in the evening shop, and the blacksmith shop gang in the day till 1876. In December I came out of the lumber yard with my gang of fifteen men we were taking cleaning to the north and cross machine shops I had to divide the gang, giving all the men to Mr Thompson's gang, except two men to the north shop, I taking nine to the south shop, I gave Thompson instructions to bring the men to me, and instead of doing so he took them away, and I followed them, and at the turnstile they met two other gangs having no guards with them, and got talking together, and Mr Stedman met them. I was in charge of the gang of nine men, and the men round in the yard, I said "yes, sir with Mr Thompson," he then ordered me in a most improper manner, in front of the prisoners, and reported me to Chief Guard Sammons him through the Chief Guard to the Warden. The other two gangs belonged to Guards Doherty and Uniacke. He reported Doherty and me and did not report Uniacke, which I reported however to the Chief Guard to the effect, although Uniacke was in front of us with the bathing men. After I reported this to the Warden, he (Stedman) used to visit me sometimes three a day, and before that he would only visit me two times, or four times. On 2nd January 1876, I was on guard-room duty (it being Sunday). I was on sentries' guard from half past twelve until one o'clock, and was relieved by one of the guards, and went to the guard-room to get my dinner. I went into the guards' dormitory, took off my overcoat and hat, hat and shoes, and had taken down my coat and carried some of it under that over to dinner. After dinner I came back to the dormitory to put my coat, hat and shoes on again, and I failed to see quite awhile, I should say about one hour and three quarters to the hour, and in doing so missed my hat and shoes, but had thought the revolver until the next morning when I went to the cupboard and on examining, he got my revolver and could not find it. I went to the guards' dormitory and there it, I supposed that had slipped under me, or in some way, and had taken it on mine table, I took it revolver I had hanging in the cupboard. I reported it to Guard Uniacke's. About ten or fifteen minutes afterwards I was out with my gang when Chief Guard Sammons came to me and asked me if I had my revolver. I replied "yes," and told him about not finding my own. He said Stedman had received a revolver from a prisoner which he had said that he had found in his cell the night before at half past ten, as a matter past and I was sent for by the Warden. I had been reported before, and will have now stated. He examined me, and told me to get my revolver from Mr Stedman. I asked Mr Stedman whether the revolver was, and he said in his room. I went to his room and found the revolver lying in an open chest with prisoner McCarty painting all polishing shortly the chest. I looked to see, and found the revolver loaded. I reported this to the Warden through Chief Guard Sammons. The Warden cleared Mr Stedman of all blame at the evening census parade. He read my crime sheet of the order book. He did not examine Mr Stedman for failing to report on a stool drawer when a prisoner was painting. At the same time there was an order in the book for the guards to clean up their revolvers under their pillows, and that was why I laid the revolver on the bed. At the time I was brought before the Warden, I stated the pistol was on sale on the bed, as in the statement which could be opened with my little finger. About four months after this, the Armoury was built. I saw that Mr Stedman had got Guard Uniacke's revolver three times in the dormitory lying on the bed. I came because to come and asked at the mess table where it was, and stated he found it on his bed. Don't know whether I was reported or not. I was never read into orders. On the 4th or 5th April, 1878, there was a rattle for the guard a dormitory. I saw the armoury wide open, in which were the rifles, revolvers, and keys of the prison lay inside and handcuffs. The three guard room sentries (prisoners) were in front of the sitting opposite the armoury had no guard was on the room. I told Mr Hill, and he

and I said there until the guards came out. The radio was then going on. It was between six and seven in the morning. It didn't know if it came to the Warden's notice. The radio was for a watch.

I have not on any occasion given information to the Press, or to any one with a view to its going to the Press, with regard to the Control Prison. About a week after the Bucket escape, I sent a note to Sub-Governor Oswald Wall. I was told that Wall had written a letter to the "Irish Canadian" and had used the article said to be lies. When Wall was in the prison, I knew nothing against him but truth. I have learned that his character is not good, and now dropped his acquaintance. The reason for my writing to Wall was not, that my letter might be published. R. (Wall) had been my superintendent for months, and I thought he had been unfairly dismissed. I did not write to Wall to make a report in regard to my superintendent, Mr. Mansell, to Mr Redman. I handed it to him in writing; he undertook to take it, saying he would settle with Great Mansell himself. This was the day Barker escaped.

To the Warders of the Control Prison.

SIR,—I have to report Great Mansell, my superintendent, for neglect of duty, on Thursday, 27th. I always him for giving his side to prisoner Foley, and taking the part of he witness and watching with him. He was in company with Foley his life three evenings; the witnesses, four times during the day and while both the gates were open.

I also report that Mr. Mansell, Mr. Redman had allowed Barker (a convict) to see Joyce (a visitor) on Sunday, and also, that Barker was allowed to get the long key of the principal doors of the prison. I have then this.

WM. CUFFE.

Investigation resumed at 2.30 p.m., 2nd November, 1876.

Great Brunton, recalled.—In the case of the escape of Barker, I was ordered to take a boiler to the front of the south wing in order that the debris might be carried up to the roofers. I did not call the attention of anybody to the ladders being there. Redman told me he had put prisoner Barker on fatigue. Foley and Shea he was afraid of being themselves on that account. Sherlock, after Barker's escape, gave me his revolver, and told me to go and see Joyce, and try and get his address. I knew him. I could not find out where Joyce lived, and reported the same to Mr Redman the next morning. Sherlock did not on that occasion say where I was to go and find him—he was merely to report himself to Mr. Redman. Both Warden and next Detective after him threw doubts occasionally upon the little gang about the 31st January, 1876, and the Warden, in his annual report, says there was only one. His prisoners visitors were Wells, Beaufort, and Mrs Sherlock. Wells is the only prisoner mentioned. I remember Beaufort the day after the escape between Sherlock and Newbridge. I have seen Wells talking between Sherlock and Mr Short, the Barrow about the end of January, 1876. I was in charge of a gang unloading stone. I had a prisoner under me by name of Farrell, who was to wash out, and remained in work. He could have left work at 4 and might be better after dinner after dinner he was no better. He complained of cold and vomiting, so I sent him into the blacksmith's shop to warm himself, and told him he could sit again in about ten minutes time, and I would report him sick. While he was absent I was called away for my pay, and to relieve the Wall Guards, and while I was away the Warders, on going his rounds, found Farrell and other prisoners in the blacksmith's shop. He asked Farrell what he was doing there. Farrell said that I and sent him there. I was sent for and met the Warden in the storage room the prisoner was present, and he was Mr Beaumont, the Chief Steward. Beaumont asked the prisoner if he had reported himself sick to the prison party (pause) yes, three mornings running. Mr Beaumont asked why he had reported himself sick to, and his answer was, the prisoner said I spared Mr Beaumont asked him if I spared unloaded him in the morning, and he said "no." In the book wing that said he book wings now the prisoners were unlocked by prisoners called cleaners. This was in accordance with Mr. Redman's orders the Warden gave Mr Beaumont orders that in

before the cell doors were and to be unlocked by a prisoner in the mornings since Mr Seckham acted as Chief Guard this order has not been obeyed. Mr Seckham obeyed the order during the time he was Chief Guard. In the month of October 1875, I was in charge of a Self-Gang and had Guard Kinder in superintendency. The prisoners were pulling turnips (Guard Mansell left my gang and went and talked to Guards Wall and Nelms for over three hours, and I left the field with my gang without Mansell having returned to me. I made a written report of this to Mr Seckham, and he told me he was taking my twelve men out again, and gave me a note to Mansell, and said that he (Seckham) would see to the report, but I never heard of the matter, and at the subsequent parade I never heard it mentioned. Captain Prince was at the time away on leave and Mr Seckham (Governor) was in charge. One man whom I found pounding bricks the clay in which I found my re-volver) in his room working at night, and on another occasion I found my prisoner Bird painting, except during one week he was breaking stones. McCarthy was in the Prison a year. Mr Seckham put a large quantity of bricks in the cell. The prisoner who did the splashlighting was working with the Canada Ice Company, under me. Seckham came and took him away from my gang. He took him to every gang he was down in the book the same as if he had been working for the Canada Ice Company.

Mr. Gibbons.

Permanent Hall, sworn—his prison guard was appointed in March, 1875. About February 1876 Mr Seckham came to me in the yard one day, and told me to take off my apparel and to go up the further end of the yard, being the opposite end of the corridor from the cells, and to go and fill my apparel with straw. I went up and filled it on a passage in Number 3 Gallery was where I had supposed to be mason. I called to some of the other guards as I was passing up the straw who it was for, and the notice he was getting. Cant. Prince Morrice (?) Mr Seckham came up with Guards Delaney Mackey, Jones, Mansell and a boy. Mr. Seckham unlocked the cell door and went in, and asked what he was making a noise about. I can't say just what the prisoner said. I something about one contract and then he called out "Chief Warder Morrice" Mr Seckham told the cell door to go in. I did not see anything else as I went up and I heard the prisoner groaning. I then looked in and saw the prisoner lying on a night sole on the bed. Mr Seckham had his knee between it and me and was working with a long key. He stretch his several times across the bed. I cannot say whether the prisoner had his head on or not. Mr Seckham's knee was then on the bed, and I did not see any war what was going on. I saw Delaney strike the prisoner with his fist, while Seckham held him down. I don't know the names of the prisoner. I heard it was Lewis. In April 1876, I was on night duty. I went on the outside of the wards in place of a guard who was found asleep. I found a prisoner named Shaughessy from Kingston, in irons in the East Hall Cell of Seckham's ward. The boy he had been sharing I could not say. Guard Kenna said was five days out again. I went on on Wednesday he was kept in irons on Thursday, Friday, Saturday or Sunday as not. On Saturday I took will down as I made report to Guard Kenna. I viewed this prisoner every hour * I was asked he would do. He was constantly hanging by his hands, and I would go to him he would say "Thank God there is another hour gone by." I don't know whether he was taken down to use the bucket or not. I had not the key of the cell and could not get on. The key was locked up in the Governor's office. I could hear the noise of the orders of the Chief Guard. I was on night patrol.

Report book produced, entry under 1st May 1876. John O'Shaughessy for mutual leakage to Deputy Chief Guard, seventy-one hours in irons.

In the spring of this year I had a prisoner named Smith in my gang. He had previously been a guard-room waiter and had tried to make his escape. After he had been in my gang a few days he complained of being sick. I asked had if he had reported himself sick to the guard in the morning, which at the usual visiting; he said "no" he did not feel very sick then. I told him to wait until noon, and that if he did not then feel better I would take him before the Chief Guard. He was not better at noon-time, and I made a verbal report to Mr Seckham. He and he was to go out on the stone gang until the latter came, but he would then be sent to the Governor replied, "I put you on the sick-list" (Seckham replied, "I will put you where I choose." Smith went with me to the gang

when he got out he said, "Mr. Hill, I can't work." I told him to go and sit on the steps quite when the one was shaving. While he was sitting there, Grand Master, who had charge of the lamb in that time, came by and passed a remark how nice he looked up. I said I could not help it. I had reported him, and you he was ordered to come out. About the middle of the afternoon Cook went and laid down in the hot sun and the mourning stones. I noticed him from the place he was lying on the stone pile, and found him on the hot ground in such some of the stones belonging to the prisoners. He was grumbling. I thought he was very sick and did not disturb him during the afternoon. Mr. Goodman came, and I told him about Cook being so very sick. He asked where he was and I told him. He told them to get up nursing. He is no good playing out like that. You used to get plenty of butter on you bread in the guard-room, and now the only bread you're in is bread, and he stood him in the chest with the crumbled fist. He then was sent outside. He was taken to the hospital and ultimately died. Prisoner Hilton was in my charge. I heard Hudgens swear him one day, after he had been working. Hilton had tried an escape). He said Scotsman intended him with a white rod inscribed in it. The left upper corner of the rod was cut and bloodied, as what part of the rod was bloody recorders. That day he kept getting worse, the swelling increasing, he being hardly able to see out of his left eye. On the second day he fainted away. I had him carried out of the cell, put some cold water on his head, and he soon came round again. I sent word to the Governor. I saw him next day with a poultice on. He did not come out to work for three or four days. I never saw any prisoner in this establishment of Mr. Goodman's treatment of their religion. I have not reported anything to the press or to the officers of the Prison.

PRISONER HILL.

MATTHEW UNDERHILL, sworn.—Am prison guard. Was appointed at the opening of the Prison. One night during last year that I was on duty there was a prisoner in the dark cell of the name of Talbot. He was put in there by Mr. Goodman. I went to enter him in the prisoner's book and found a prisoner in the dark cell. I had to deal with Mr. Goodman a misdemeanor brought him out. I put the handcuffs on him to bring him to the Governor, underneath Mr. Goodman gave the prisoner two blows on the side of the head with the clenched fist. The prisoner was making a loud noise. We put him in the dark cell. Talbot had been several times in the dark cell was generally kept there. Governor Charles Gibbons was on duty then. I was in charge of a party in the lower end of the South Wing cutting hay. I saw Mr. Goodman on the side of the hill in Bell's Gallery, and saw him take a spy from Gibbons who had been washing, and strike him twice on the side of it a time with the back of his hand. Gibbons has been in the Prison about three years. Governor is a good one and he was quite. At the time prisoner Talbot had Charles Gibbons was not called I was posted at the north gate. We found that the prisoners were fasted. We had beer up two days before to the Governor. I was then in the corridor and was present when complaining there. Mr. Goodman came in and I saw him strike Talbot on the head with a small cane about the size. I didn't like that. Talbot was talking about the food. He was not a good Christian. He called the cook against Christ—a vile pernicious word. Dunn was a prisoner in the Irish Wing named Lewis. Dunn was in the dark cell some months. Mr. King Bailey got from the Guards' Barrack Hall; a company with Mr. Hudson (the bailiff). I heard the cry of time one and from the manner of the cry thought he must have been struck with some thing. I heard the prisoner say he was with a very bad boy. I had seen Lewis before this several times. was under the impression that he was not right in his mind. Other guards remarked to me that he was wrong in his mind. He had been in the cell for several days. I can't say what for as I was not in charge of that gallery. I have never seen any difference at the treatment of the Catholic on account of their religion. I have not made any report to the Press about the affairs of the Prison. I once left my pocket-book in my bed when my bell—it was not my bell—it was not to say. I was reported to my Governor before the Warden, by the Governor was not read out at the Court. I left my pocket-book there. I was not brought before the Warden that time. I never brought any prisoner before the Warden. I might have been a minute or two before my client. It was three-fifteen at any rate. I do not know that there is any ill feeling towards Goodman on the part of any of the guards. I never saw Hammond strike a prisoner.

M. UNDERHILL.

MARRIOTT LYONS, sworn.—An unarmed guard was appointed at the opening of the Prison, whereby after the Prison opened, three prisoners succeeded in making away at the regular hours, with a view to escape; Gil and Denny was in duty and found the prisoners concealed in the engine house, between the top of the boiler and the ceiling; I went to Mr. Ernest Harrison, who told them to come down at once, and he caught hold of one of them and pulled himself between the rafters; I caught hold of one of them and he kicked me, I threatened to shoot him if he did not to come down, and he would be quiet; I kept my revolver in my hand until we got them all out; by that time all the guards were gathered round, the Warden was sent for and the prisoners taken into the centre of Mr. Harrison's studio and one of them with his feet, and Mr. Lyons put them in a cell; I returned to the other; I stood within 15 ins or twenty feet of Skidmore at no time, the prisoner did not say anything to Hocking previously to his being struck, Conrad Cooper struck another; I took it was a distance, shots to know him about to that way, on several occasions I have seen Mr. Harrison and Mr. Lyons in the morning, with their keys in the hands and fast with a stick, when they did not search in order to keep their hands down. I have seen a good deal of partiality shown to guards on several occasions I have applied to the Warden for more of shewing the cell to me, but by saying no I am being told I must be wait by Chief Guard Rosamond, and he came out and said the Warden would not grant leave. One time I asked the Warden to allow me to see the Warden personally; I did see the Warden, who refused me leave, saying I was a nuisance and disturbance, and he would not entertain and complaint. I left the Prison. Why? He said all the guards said so. I asked him to bring to any of the guards who had said so, to be refuted; he said he would transfer me from the spot to the wall. I asked him if he would allow me to see the Inspectors he refused, saying, I could go after hours; two other guards (Julius and Kemp), applied to go down town, and they were allowed to go, they had leave town or down town. Skidmore threatened, I applied to Mr. Stockton for leave to go to town for business for my wife, and he said it was no use to me, he could not attend to me, I left the Prison. I applied to the Governor for permission to go down clothes made, he told me it was not allowed. The very next week Mr. Ernest's son, who was working with him, got a suit of clothes made down to the Warden, gave permission on me, I contract my Partiality to this the last at the guns was opened at my papers as I say broken either. I am not able to give the date. Cook just I applied to Mr Warden for permission to get shoes sent down to my family, and he refused a short time after that, Screw-keeper McAuley and Guards Eaton and Julius got shoes made for them similarly, and also Mr Warden gave permission. I have never given any information in the press regarding the affairs of the Prison. I have been taken from the gate and taken inside to do guard duty, and I have been taken from the gate to the wall on Sunday. I claim that my duties should be confined to the gate as I am gate-keeper. Mr Gardiner has put in charges against me yesterday when Mr Rosamond was Chief Guard.

MARRIOTT LYONS.

DANIEL CUTHBERTSON, sworn.—Am Cook and Baker. Was appointed 8th May 1879, About June, 1879, there was an old man named Skidmore. Mr Stockton came to me and said he was second the gentleman about twenty minutes before and found this old man as he knew as though he might be praying, and he thought he was praying, and he (Stockton) said he (Skidmore) said "some said I will allow yer, some fine." I did not go, but Stockton went to the old man's cell, and I saw him kick him several times as he was sitting on the ground. He was first or second gallery in the north corridor. I don't know the old man's name. He did not fall. Stockton kept kicking him as he went along. Not long after this, Stockton was about passing Hockey into the dungeon. I had to go down to attend to him, as I had charge of the key of the dungeon leading to the dungeon. Mr Stockton and Guard Cousins were putting the handcuffs on him. After he was handcuffed, Stockton struck him with his clenched fist. The prisoner was very noisy and was making a noise when Stockton struck him. I have never seen any difference in the treatment of the guards on account of their religion. Complaints have been made to me about the cooking of the food for the guard's mess, sometimes not to be being tenderness, and at other times otherwise. I have given no information in the press as to the affairs of the prison. A Mr Ernest once to me to get information, and I referred

him to the Warder. Barrett pressed me to give him half-a-dollar as it could be procured in prison.

3. Cross-examined.

James Glasgow, sworn.—An Engineer for the Central Prison. Was appointed at the opening of the Prison I have nothing about the treatment of prisoners, or the discipline of the Prison.

Samuel Bush, sworn.—An Prison Guard. Was appointed 8th May, 1871. I have seen no act of cruelty to the prisoners, nor have I seen any difference in the treatment of parties on account of their religion. I have not reported anything to the present or the officers of the Prison. There was no unauthorised man with long fight whiskers who wanted information to the Prison. I told him to go to the Warden he came to my house.

Richard Bush, sworn.—An Prison Guard. Was appointed 14th February, 1873. In 1870, a man by the name of Stockman was hidden away. I don't give the prisoner that. When he was found, and Mr. Stockman was putting him on arms on the dock and, and before he had the irons on, Mr. Stockman struck him on the side of the head with the back of his hand, and said, "you b——r, you have got a good good deal more coming to you. I owe him stroke up and man (Kennedy), for helping to find him and putting it on his back. Kennedy was another age, I saw Stockman strike a prisoner named Kerrigan, who came to saying he was sick, that there was something the matter with his arm. Stockman pushed him in the stomach with his fist, and caught hold of the irons arm and raised it up and made the man cry out. Kerrigan belonged to my ward. He told me to put him in bed, that I was not sick. He did not send to see instructions from the Warden. I put Kerrigan in irons, and then told Stockman the man was screaming. Stockman then went into the cell and commenced pounding his prisoner in the side, saying "you are not sick." The prisoner beat against them to Mr. Stockman. The prisoner was taken down in short time before. He was a man of unusual Penn. He was discharged, before being punished, in the hospital.

A prisoner named Purcell looking very sick, when he came on from work: Guard Kennedy reported it to Mr. Stockman. Kennedy carried Purcell to bed and Mr. Stockman went to do it and could not effect it alone, as he came for me to help him: the man was so sick he could not stand up and we had to lift him and found his hands to be very cold. I told him my wife Emma put the handcuffs on we took some away and Emma locked the cuffs and took them off. I told Mr. Stockman the prisoner was sick. Mr. Stockman then went into the cell and commenced abusing him, and struck him on the side of the head with the back of his hand, saying, "you b——r, you have got a good deal more coming to you." I saw him strike up one

hay in his hand. I followed them, when I got there I saw Stedman bending on Lewis' a prisoner's chest, and shelling him with the long hay. I did not stop to witness the whole, but came away; Lewis was shouting. Colonel Doherty was holding him, while Stedman was bending him Mr Hammond told me in the morning that the case was reported. I thought Lewis was insane prior to the beating by Stedman, and other guards had the same thought he was insane. Miss Stedman came back to the guard-room he had the key in his hand he said the key was lost he did not say that Lewis assaulted him, about April, 1878, prisoner John Shaughnessy had been reported for striking, and the Warden ordered his release Stedman brought the report in me, and told me I was to tell him to go without his supper, as he was reported for striking I told the prisoner the Warden's order, and he went away and said good." Stedman came up behind and asked what he said, I said "very good." Stedman followed the prisoner to his cell I do not know which cell. since there is more than one and told me to tell the prisoner he must be satisfied at 9 o'clock for dark and night. I had charge of him at day time, and Guard Hill had charge of him at night part of the time, and Guard Hill had charge of him at night. During the time I had charge of him (in day time) he was taken down to his meals his breads were locked, but he was remained in solitude. Stedman came down to him he had no bread during those five days, was once passed of bread per day; during those five days he was to issue he was very sick. the second day he was in irons he refused to see the Doctor. I sent an order to the Chief Guard that he was sick an required seeing. The doctor never came to my knowledge on the fourth morning when I came to his cell to relieve Guard Hill he told me his prisoner had been vomiting during the night, and he thought something was the matter with him. I went into his cell to see what was the matter and the prisoner told me that during the night he vomited the bread, but could not give it to me. I reported the matter to the chief of issue to his parts. he also said he wanted a drink of water, but could not get it. I had to forever him there from the day, and when I gave him water he vomited down on the floor. I reported that I found him sick. I reported to the chief that he was much sicker and, not having eaten his bread for two days, and that it would be dangerous to put him in irons any more, and he was not for any more. I left the cell. I do not remember the last time I saw him. I got out of the prisoners to help me put him in. he remained by all that day and night until the middle of the next day. I left him to the other men and returned to his cell. He remained in his cell the remainder of that day and all the next day. I was in the cell, and he died about 4 o'clock. He was a young man, age 2 young man named Farrell, about nineteen years of age, requested himself sick from the shops. He was brought in, and Mr. Hammond, called him to be put up to the shop. I was not able to do so, as he could not stand, and I got Guard Jones to help me. We put him up but he was all his weight upon his hands, so I told Guard Jones I would wait and speak whether he would rest on his feet but I found out he was unable to go for he had lost the responsibility of losing him down. His head was lying on his shoulders before I let him down. When I let him down, he fell. I went on the ward floor I reported the circumstances to Mr Stedman. He left him there on the cell floor until the dinner came. The doctor came in the evening. I went with the doctor to the cell. The doctor examined him. The doctor said he was sane, to his cell under the doctor's treatment. About 2 months ago a prisoner by the name of Collins was working at the bench in the finishing room. Mr. Stedman brought him to my cell and an to put him in irons. I don't know the offense. While I got to the bin I an he refused to be put up to the ram until he had seen the Warden. I reported the fact to Mr Stedman, and he was down to go. the wardrobe on him, and afterwards shaved him a great deal. He laughed his head against the wall until the blood came out of his ears, and then fastened him to the ring. He was released, by order of the Warden next day. About some months ago Mr Bonnaunt was transferring some of the refractory boys from the south wing to the south wing. I requested in the south wing. Mr Stedman said to a prisoner named Dornbeck "some thing with me. I want to show you something." He took him to the dark cell where I was Stedman then his revolver and put it to the prisoner's face, and say "do you see that? you will get the sentence of it if you don't behave yourself in the south wing, and then sent him to his cell. Prisoner Gordon reported himself sick for work about four months ago. Mr Stedman brought him as not

told me to put him in the dark cell, but not in irons. I asked him if I should give him his food, and he said "no." He was there until the doctor came this evening. I heard the doctor say he was cool, and ordered him to be sent to the hospital. I have often seen Sergeant-major Smith with men when in marching order, but not lately. I did not think much of it. I never saw any difference in the treatment of guards on account of their religion. I have not reported to the proper authority the transactions of the Fenians.

E. HAMER.

MICHAEL WHITE, sworn.—I am Police Guard. Was appointed 4th Feb., 1876. I have not seen prisoner Hammond. There never was any difference in the treatment of guards on account of their religion. I can see Hartnett with the dead we get at noon. I think the Hibernians too severe.

MICHAEL WHITE.

JOHN BENJAMIN CAMPBELL, sworn.—An Prison Guard. Was appointed 18th April, 1876. I never saw any undue treatment of prisoners. There never was any difference in the treatment of guards on account of their religion. The food at noon does not suit me.

JOHN B. CAMPBELL.

GEO. FRASER, sworn.—An Prison Guard. Was appointed 3rd July, this year. I know nothing of ill-treatment of prisoners. There never was any difference in the treatment of guards on account of their religion. I don't think the food at noon is properly cooked, and we have not sufficient variety.

G. W. FRASER.

JAS. FISHER, sworn.—An Prison Guard. Was appointed 8th January, 1877. I know nothing of what treatment of prisoners. There never was any difference in the treatment of guards on account of their religion.

A. C. FISHER.

WILLIAM HARDIE, sworn.—An Prison Guard. Was appointed in August, 1874. About May last assisted lay prisoners Dillon and Conroy amongst to scrape, and were found at three o'clock on Sunday morning, and brought into the corridor. I saw the Deputy Chief Gaoler reprimand them. I was there with a stick. He struck them both several times. It was a walking stick. I saw nothing more. I have seen no difference in the treatment of the guards on account of their religion. I know Mr. Hammond, I served in the 18th Hussars 20th June. I was sergeant. He was sergeant of the same troop with me for about two years. I was with him ten years in the regiment. As to most I passed the regiment he was under arrest for theft, or something. He was tried by a General Court Martial, and sentenced to imprisonment in a military jail. I cannot say how long it was—either thirty-two or thirty-six days—and he was tattooed in the ranks. I have seen him walking away with the soldiers' clothing. He had been never or ninth years in the regiment before I entered it. Knew I came to the Central Prison. Mr. Hammond spoke to me about my being in the Hussars regiment, and also spoke about the cause for which he was tried and paid him at the time of his appointment to the office of Chief Gaoler, he appointed all the Government. He told me once and wrote to the Government after the appointment, informing them on his difficulty as the army and I think that caused him to be tattooed.

W. HARDIE.

Adjourned until 2, p.m. tomorrow.

Investigation resumed, 2.30 p.m. 7th November

W. J. ATKINSON, sworn.—An Surgeon for the Central Prison. was appointed as the surgeon of the Prison. know prisoner Lewis. I certified on the 5th January, 1878, that he was insane. I re-certified by Rob-spinks and the County Judge who examined him separately and gave similar certificate. he was sent to the Lunatic Asylum, 11th July 1878. I have

no other navy regardless Lewis, and have no recollection of anything further as to him in reality. I have a distinct recollection of being told that Lewis struck Buckland, or struck at him with a part of his bed, but I cannot say whether it was Buckland half was or not. I heard that Buckland had struck him with a fork. I don't think Buckland knew body I don't recollect Lewis making a complaint to me in reference to any diary I had the follow ing entry under date February 16th, 1918 "Lewis William Guard, and John Hay prisoners names, went to London Asylum this morning - Miss had fallen while was working to the system and severely bruised her right arm. Lewis immediately whether there was a business without an engagement and explains it was still very much disturbed when he left this Institution I do not recollect anything about it, know going myself. I understand the rules of the prison required that I should be present at all cautions when one put in solitude. I was present. I was not present when prisoner Hailstone was flogged in January, 1919, and could hardly name him as one flogged I have a distinct recollection of Hailstone him having a contusion on the upper and left part of the forehead, which did not extend to the bone or to the covering of the bone, I noticed it a few days after he was flogged. I do not recollect that he had been struck by Mr Sanderson I think it was after his examination by Dillon had removed and was examined. I have produced Exhibit 14 was one of the Reformatory Reps. he was not a flogging but I understand one day he had been struck by the prison officer on the 23rd March, 1920, he came into the cell, and on the 25th March was sent to the Hospital - as fixed on 3rd May of piercing pain in the left side of the lungs. I have no memory Farrell - on the 27th April, 1920 I placed him in a cell - I do not think it was the dark cell. I found him feverish, and suffering from pain in the chest. I made a note in my journal, and pencilled the statement I make in reference to the Hospital sketch-book - no further entry I made with reference to him - I have no recollection. Lewis would not have struck him. I have heard Farrell's evidence read and I may be certain that I visited Farrell in the dark cell. I don't remember Cartwright's illness - there is an entry in the Hospital sketch-book, Nov. 12, 1878, "Cartwright examination case of catarrh and cough" - he was in Sanderson Ward. I do not remember having spoken to Cartwright - he was always in bed. I saw Miss Prisoner Gordon. I was being treated for pneumonia from 20th May to the 28th, 1918 and 29th June, 1918 - I did not see to the hospital. I don't say whether I saw him in the dark cell or not. His statement that he heard a man put into another cell he was evidently out of my the dark cell. I am sure that day he had his tea-time strapped, and was able to walk and did not remain in the hospital and was able to walk - was treated again but was able to work. No charge of cruelty to a prisoner in any person has been made against me. Prison Surgeon. I don't remember drawing any warrant for any prisoner other than Nelson and Cartwright. Overstreet had formed another warrant the result of his case and what I understand he had been punished and I thought they were pretty severe - he dealt was well disciplined, but his skin was very thin. I don't remember any prisoner reporting any cruelty or any rather severity while in irons. I cannot give the date Guard Holland asked me to prescribe whom a prisoner that - he was ill - he was in the pain on arm again - he had been in irons and I think he had been let down pain on my seeing him. he was a delicate lad about 18 years of age. I gave the opinion that he was not fit. On another occasion - I can't give the date or name - I was asked to see a man who was in irons, and he was groaning and coughing and told the guard he was not a proper case to be put in irons, and he was taken down. I remember the age I should be sent a prisoner in irons and I found he was fit that kind of punishment. on several occasions I have been asked to visit prisoners in irons - I have visited them - I have seen Hailstone or one of the guards would ask me to visit prisoners in irons. I don't recollect being called to see Dallas, Hinkin Sparkman, Cottingham or Wallis, Farrell, Barry or Cohen while they were in irons. I think it is likely I was called to see them, but don't recollect. I have sometimes talked to prisoners when the bars would open into their cage, and when they expressed pain/sore they were taken down without any asking. I find an reference on the hospital log book that on August 5th, 1876, Harrison presented himself at sick, and had a dose for alleged indigestion. I did not consider him sick but gave him the benefit I the doubt on the 8th of the same month he complained of a pain in the shoulder I gave him some embrocation and water with which he rub his shoulder he did not appear again prisoners often believe they are sick when they are not, and I can seldom tell from their statements when well I have often remarked to

Stedman that prisoners figured evidence, or that they believed they were safe: I know heard a prisoner say who was in town, that he would rather be on trial than worry my opinion is that it is better to flog a man than to put him in town for over 48 hours. I think it would be more wholesome to the mind of the prisoners, and more effective as a punishment. I think the prisoners prefer being in town for a long time to flogging.

W. J. ARTHUR.

ROBERT B. OSBORNE, sworn.—I am a final student of medicine. Was attending at the Orkney Prison Hospital under Dr Allison for about six months. Dr Allison left in June 1876. I saw three every day, sometimes twelve times in a day. I was alone with the sick prisoners Stedman was not there. Stedman was during Chief Gaoler. Don't know the time when the prisoners' meals were served. Some were delivered at 8 o'clock, others three or four months after they were served. I had no conversation with prisoner Dillon. I called several of the prisoners by their names. I cannot say that I ever knew that I had seen change of sanity in the papers. A very large majority of those said they were well treated. I did not hear those express an opinion regarding Stedman. Somewhat short of that statement, that it was generally admitted in the Prison that. Shortly after Dillon was struck by Stedman, some of the prisoners were questioning me about it. I said that the report had been kept up during the night, to try and find Dillon and Cooper. Some of the majority of the prisoners said it served them (Dillon and Cooper), right, that they had no business to go and do what they had done. Did not know a prisoner named Quirk. I made no notes in the journal room. Sometimes one or two guards would be present. I have heard the guards complain of Stedman being too much in the Hospital at any rate. Stedman's hours of duty I understood by Mr Stedman. Am twenty-four years of age. From what I heard the guards say I should judge they had more liberty under Mr Stedman than under Mr Paul. Was, and that they preferred Stedman on this account.

R. B. OSB.

Adjourned.

Investigation resumed at 2.30 p.m.

Dr ARTHUR'S examination resumed.—I find that on 27th April 1876, when I ordered the warm bath for Frost I visited the Prison at 10 o'clock in the morning and did not visit him in the evening. If a person has been under the constant observation of the chief officer from the time he was, the probability would be that his chief would be instructed, and he would be frequently at call. I did not visit any prisoner after 10 o'clock in the evening. Whilst I have known Mr Stedman was since the Prison opened. I remember how a notice accordingly sufficiently. Mr Stedman's duties were such, as far as I was able to judge, that he was discharged his duties with a great deal of intelligence and zeal: and if he has erred, has been from excess of zeal, or overstepping to what the management of the institution is supposed to be. I remember. I have never seen any harshness on the part of Mr Stedman to the prisoners. I have been frequent by near him when a man would come up saying he was sick, give him a paper pulse he should, and say I cannot speak to such trash the moment with you, as I frequently the new would laugh. He has displayed an interest in the physical welfare of the prisoners, by walking up amongst them half a dozen times a day, or the day he thinks it was prepared. due to the thinking of the prisoners, and as one occasion particularly, when he called my attention to the fact that prisoners were not getting their meat. I should not be allowed to take off a thick fleshed skin and put on a thin one. On another occasion he called my attention to the want of ventilation in the kitchen owing to the fire leading to the open-room, being closed. he also called my attention to the prisoners being taken out in the rain. He's thorough disciplinarian, and any man disobeying his duty discharge at the General Prison will make reasons, and Mr Stedman has made mistakes. I have heard no complaints on the part of the guards against Stedman. It was a part of undeserved of garnishing.

W. J. ARTHUR.

ROBERT STEDMAN sworn.—Am acting Chief Guard. Was appointed Deputy Chief Guard at the opening of the prison and on the dismissal of Bannerman on 6th March, 1876

I was appointed acting Chief Guard. I had no idea of being overbearing to Mr. Short (the Steward) as to ordering regardless the orders I never saw, and as everything was overcome from the Warden. I never was in trouble English that the Chief would ever convey Mr. Short's chair and that I assisted to the Chief's parties. I did not consider Mr. Short friendly to me, and did not place him any confidence. But I was to my guard when talk'ing to Mr. I did not imagine in consequence of handing towards any of the guards. I have had frequently to report, more than any one else, the work (Carelessly for working, reading newspapers, and being asleep in the kitchen. Sometimes Mr. Short the Steward) frequently sometimes told. I have had to report him, but cannot now say what for. I have frequently had to report Guard Cummings, as he was very careless. Guard Curtis was on duty, I had to report Guard Curtis. I have reported however I found it necessary with out fear or favour. I have never spoken to my prisoner short the affairs of the prison, and have not any acquaintance with any of the prisoners. I did not notice Mr. Hunt's conduct by Mr. Short. Prisoners' hair was always cut short up to the day of release, until about a year ago since which time we do not use the hair for a month prior to those release. I have not had as to the prisoners receiving any thing in the manner of the receiving orders of the Warder. Wills was handed to one of the guards, and as a gentleman the Warder ordered him not to be removed. Then also there is the clothes for a week and a prisoner shows for my own use. There were four shoes made new together for a little coloured boy (a prisoner), we had no opportunity of making them. I have not had any shoes for my self use. I have prisoner Lewis: he was one of the first prisoners received in. He was a very bad character, in attempt to prison: the gaol himself with a razor on the twenty about one and of December, 1852. Wells I was on duty in the prison room, when the guard saw in the corridor, I went out and the corridor guard came up and said prisoner Lewis standing up at the Governor's cell door. His cell. I told Guard Thomas and Wyatt of the other guards, I forgot their names, to go down and bring him (Lewis) out of his cell down to the third and where there was no furniture. I then reported him to the Warder. This was about half past nine p.m. I reported him to be breaking up his furniture, and smashing his shutters. He said was to me his hands that he would not go down, he would not making such a noise. I was sent to the guard room and got a and a piece of pine wood, and made a use of one. I got up to the prisoner I found his bed-place and pieces of Lewis's cell, and Lewis inside defying those to come in. I told them to open the door and let me get as soon as the door was opened Lewis, flew at me with a piece of iron he had taken from his bed it being a long piece of iron. I struck me. I struck across the buttocks, and then caused us him and we took fell to the ground and that of the iron he got the best of me. I struck him with my staff. I struck him on the arm over shoulder together Guard Doherty tied his hands as I gagged him. We then left him sitting up on a part of his bed. Guard Doherty he sat in the room with him. I did not sight guard to went him frequently. I reported to the Warden next morning that I had not got the man with the key and that Lewis had struck at me. I was a guard—I don't know about gags nor—struck him with their hands. I was struck. I struck Lewis on as I forbear. Up to that time I never heard of his being unsane. I did not know of the guards speaking about his insanity. I did not hear any of the guards say that I expect he or if he was anything wrong. I gave no orders to him about the gag being taken off. I gave no orders to have the gag removed. I heard the guards he sat up in bed in every limb him by my first wash, he has got his hands in irons and has pulled the gag out of his mouth. He was found dead at eight o'clock next morning. Guard Thomas. I gave Farlagrue 15 lashes across the buttocks with a rope's end. Farlagrue was about 15. The Warden ordered me to select this punishment. Prosecutor then commenced and flogged him over his head and shoulders with a wet as well as his back. He was very faint when I took him down and was covered with marks from the small of his back to the top of his head. The Warden did not order the breaking by Statement. He had screwed himself with the intention of escaping and this is sufficient was for that. I remember Sailor Hall being brought before Sir Warden for stealing a spoon the night previous but do not recollect the particulars. I had nothing to do with Newton's statement, and not spoken to Newton about it. Where it was my night on, I have often sat up until 12 o'clock at night when it was known the Sheriff was coming with prisoners. There is an other prisoner waiting here going through the prison. I did ask Mansell if he was not aware of the

order against children going through the prison. As regards the charge made by Mr. McCaskey as to my leaving on my last at Oakland service, and not allowing the matter to stand: I may state that I've not fully investigated in 1870, and Mr. Crooks disposed of it. So far as I am concerned, by ordering me to be removed. Since that I have never used the expression, or employed a Catholic guard refraining in any way on his religion. The only objectionable language to a Catholic guard refraining in any way on his religion. The only objectionable language to a Catholic guard refraining in any way on his religion. The charges as Guard Stevens was investigated in 1870, and disposed of by Hon. Mr. Crooks. Mr. McMurtry's charges were all made at the investigation held in 1870, and were adjudicated upon. I produce the oath I personally use when on duty. It is a very short one. I administer no other oath, neither are all right. I have often tapped Osborne on the hands to keep him in step, as well as other prisoners. Other guards have done the same. Sometimes again, the Warden ordered that matches be to disarmament, and it has not been promised. notes. The Warden made the order on account of Guard Stevens striking a prisoner in the face. Guard Stevens was tried before the Warden. The guard promised me to tap men on the heels to get them into the step. There are standing orders that for certain offences prisoners are to be kept in bread, and close confinement of the Warden; and in other cases for them to be put in the dark cell and then reported. I don't think these orders were in force. The officers ordered to report all cases of violence, fighting, insubordination, guards, and all insubordination and refusing to work: for their offences the prisoners were to be put in irons, and then reported. I don't think the Warden ever ordered any prisoner never to be placed in a dark cell, and then reported to the Warden. If a prisoner were to be sick, and I thought, when reported to me, that he was shamming, I'd visit the cell and consult with Dr. Jukes before I made report. There were no chains made in the prison for me. I made two chairs for myself. I made a table on the ground floor and refused it myself. I got the board refused in the prison. I made the table myself, and the other work I did myself. I bought the different parts of wood down town. The Warden never took from me Guard Dickson. I gave him none. I have not the [illegible] in the guard-room. Guard Jones work for every guard that to his house. I can't say if any guards did work for Mr. McCarthy. I've worked in my cell for him and some others. Prior to McCarthy passed for me in my room. The Warden gave permission. Two painted pictures for the Warden, they are now in the building. Six painted pictures for Chief Guard Sherrett, Guards Herron, Hill, Gifford, Thomas, Jukes and myself. The pictures—all but those of the Warden—were taken away many by consent of the Warden. I can't say if Mr. McCarthy was in the office when I got anything else. I did not strike Jones or any other prisoner sufficiently hard as into the cell of his fingers, or to cause it to swell. I took a blow from Jones. I struck Jones. I struck he who had placed it in his hat, and struck him on the with the back of my hand. It may have been Edwards.

Adjourned.

Rosstrevor 10 a.m. 9th November 1876.

R. Stedman's examination continued.—I knew prisoners Nilon, and Cusack, about two months ago they received instructions from me how to empty their pots. Nilon's was not one night and one day before being found. I received instructions from the Warden that when I found that I was to give them a good licking. I found Nilon's pot empty. I then struck him on the shoulders with my walking stick. It was an ordinary walking stick and not very heavy. It was not the small walking stick produced yesterday. The stick I struck Nilon and Cusack with had not a knob on six inches long. I then put them in the bath, and after washing them, found that Nilon had a scar on his head. I don't know whether I had drawn it or not. I don't think I did. He had been pulling around in the dead of night and may have cut the injury as that way. I have no recollection of telling Dr. Jukes that I struck Nilon on the forehead. They (Nilon and Cusack) were placed in the dark cell in irons for 36 hours, and were kept from during the balance of their term in prison. I did not knock prisoner Dillon down with my stick. I know prisoner Cusack. About April last, I received a report that he was sick and unable to work. I went out and found him lying in a low recess up with

philosophic stoicism. I made him get up. He said he was sick and not able to work, and that he was not exhausting. I made him remain in his cell. I have no recollection of making my visit a hand on him. The man was the commune, he was quite a nice boy, and will be hewed up to the idea of his attempted escape.

I know prisoner Riggs. He made out boots and shoes upon requisitions, and I paid for them. I can't say how many pair I got made. There were two pairs boots, and two pair shoes. There may have been more. I have had boots and shoes repaired. It was the custom of the prison, and other guards did the same. I remember reporting Gifford for bringing in his men to make better time. It came to my knowledge afterwards that Guard Chandler had ordered the men in. I did not report Chandler. I did not report Chandler for not my. I do not consider Chandler a friend of mine. I don't remember reporting Guards Gifford and Hackney, and not reporting Chandler, in November, 1874. I never made any attempt to my number in climbing guards, owing to my age, as most all the guards became ex. Last January prisoner Riggs was in the guard house as worker. In the evening he brought a newspaper in my room, and he kept me in the cell. I took it from him, and asked him if he knew where it was, he said "no", and I put it in my drawer. In the morning, I handed the newspaper to Mr. Brockway, and told him where I got it from. He went had the newspaper on the table in my room. He then paraded the wall guards, and came back to my room, and then went to the west wall guard house, and brought a revolver on the table. I placed it behind the cushion on the chair. There was no one in the room at the same time, but a prisoner may have come in afterwards. The Warden questioned the hunter, and he then found that the revolver belonged to Guard Gifford. I returned the revolver was on a shelf behind the cushion on my room. The revolver was loaded. I did not see or know occasion, that Guard Chandler had another loaded. I can't be sure about every. I did not report him, but threatened to do so if he came, and have not seen a revolver in the hunter's room. There have been other revolvers seen in the guard house. Don't remember any that other armoury being opened. I never told Guard Gifford I had seen prisoner Riggs with the revolver, and that I was afraid of being threatened. I could not have done so, as the Warden has been permanent. I never heard an order read to prisoners who refer to be punished by guards only and the Warden told me nothing of the kind. My recollection is that Warden Wardell was present when Guards Maxwell, Gifford, and this. I requested to the Warden in the yard, verbally. Mr. Phelps gave me the history of a prisoner to whom I belong to the ward was charged to the Canada Car Company. I knew prisoner Gillinghouse. On the first May 1874, he was released by the Warden. I placed prisoner's name on a list. At the breakfast hour when the men were marched down to breakfast, was not present with his bundle, and I reported the matter, saying I did not know why he would not take it. He also at that time was not present when the prisoners were threatened me on the words, "I'll do for you yet—— ——" or some of a brute—— I reported this to the Warden, who reported this to Deputy Warden Lowe. I have placed in irons and the references to the guards state that he was to be taken down to see the Warden. He should have been placed in irons for the language he used to me again. He should not have been taken down at night. I cannot say how I was on to Gillinghouse's case to this Gillinghouse was one of the worst prisoners I have had, or after that, one of the best. I never used to Guard Lester but the h—— the ——. He is correct in the guard house. Prisoners in irons are allowed a pound of bread a day and water. No prisoner has been confined five days without a medical examination by the doctor. I was present when the roll of prisoners Fleming for mutiny by Guard Chandler, it was between eight and nine, and it was dark. I released Hackney—he was in irons for insubordination—himself, and when I had loosened one hand and he had possession of his left, he said he would not carry any black eye of h——, like me to take him to the dungeon when he was saying this Guard Chandler was on harnessing the clothes from his legs. I struck him on the side of the ear with the back of my hand, and that is to say, I don't remember striking Gibbons. I did not strike my nose against Cameron's rifle. I recollect the prisoners referred to by Guard Lester, they were Cameron, McGraw, and Feeney after they were found they were already for all the guards present. I struck Robinson. It was for swearing himself to they were struck; they were placed in irons for 24 hours. I do not know whether they worked in shackles or not for the balance of their term. I have no recollection of the re-

witnesses referred to by Cook Commissioners as taking place in June 1878. I never blabbed to an old man fifteen years. I never named prisoner Spackman. Grand Jurors statement as to my striking Spackman and to the expressions I used to him (Spackman). It was me the statements were present all the time. I never struck (prisoner Harrison); he was in the north wing, and Grand Juror reported him wrong. I asked Harrison what was the matter. He told a yarn to his nurse. I took hold of the nurse and lifted her out of the place where the yarn was, and he never said, as he had often done before. I told him there was nothing the matter with him, and he would have to go to work, and I put him in the wing and reported to the Warders who said I was to keep him there until the Senior came. I cannot say how long he was left there. I went to him several times after. I was making the men's cell hour long, and thinking there might be something the matter with him, I took him out of room; the doctor visited the prison shortly after and examined Harrison, and said he had nothing, was making the matter out of his head. He was left out yarnish him in the cells. I never prisoner Purcell more than in April or May this year. I helped him in his cell many times, with his clothes on, and undressed him. I had Tracy as prisoner 6 or 8 times in the morning; he complained of being sick and ill took the doctor to see him he ordered him to have a bath, and he went to work after something. I never saw Tracy carrying the morning afterwards he came to me and said he was sick and unable to work. I asked if anything there was nothing to see me and that he would not go to work or to the doctor's. I told him that he would have to go to work after or to me. I then dark cell he said he did not care for me. I told him I would report him for that. I had just him to report; that same morning I reported the offence to the Warders, and then I had the prisoner in charge. He pleaded guilty to the offence. I gave a good word me if I think Purcell has thoroughly Found was sick and I told him to take him out of room, and he knew him if he did not tell the Governor. I had the prisoner, not sick, and the prisoner complained of being sick, and sent him out as work. He walked in the line like the Our prisoners and did not complain of sickness afterwards. I never heard Tracy a prisoner of or had him to be put in the dark cell for threatening me to be shot. I forget the date. Grand Jurors were told wrong about my striking the old man. I never saw Warder never struck old man and I never had ordered Barry to be put in irons for threatening me. I never ordered Barry to be put in irons. He went down to the dark cell with me. I went with the cell, and when Barry refused to be put in irons, I threw my revolver on Stephen. I did not threaten at the time, but he still refused, saying he would not go in irons unless the Warders ordered him to. I thought he was going the next day, and he refused me to put him in irons. I never ordered Grand Jurors not to irons Barry there for my purpose, or to put his hands in a closer position than he could help. I never prisoner Wells was put in irons, but I did order irons to any other Guard not to have him there for any purpose. I saw Wells down sitting on the bench myself. Wells was not in irons more than once. I do not remember the Grand Jury. Reserve me up return to the guard-room, after the trouble with prisoner Lewis, that the key was taken.

Adjourned

Investigation resumed at 2.30, p.m. 18th Nov. 1878

Mr. STEDMAN remarked—About the beginning of this year I was passing through the yarning hall toward Collins' cell and I overheard with ears of the talkee, and thumbering the latter with a pair of scissors. (The prisoner Collins was serving out a two years' sentence for sedition). When I got to the door of Collins' cell, I heard Collins say to prisoner the Warders, who ordered him to be put in irons. Grand Juror took him to the dark cell, and returned to the office and stated the Collins would not go into irons, and he would not put him in. I went to the dark cell and told Collins he must go into irons he would not, and I then threw him down and with Grand Juror put him into irons. I then went to the tunnel, and once in the prisoner the dark I am not over the offence of yet. I put the irons on, and put him up in the ring. I did not him his hand against the cell wall. he punished must was to have been 56 hours in irons, but the Warders wished his cell the next day and as his promising to behave himself to prison, ordered him to be let down, and he was taken down and sent to work. A term prevented a murderer at Granton. I did order Goodge to the dark cell. he had been discharged from the hospital by Dr. Allen a day or two before, and refused to work, and I told him he must either work or go to the dark

cell; he said he would go to the dark cell, and I went him there. The same day or the day after Easter and he would take October or a dinner; and he was allowed to work under Easton as a cleaner. I have had conversation several times with Dr. Collins about prisoners' shaving or pretending sickness when quite well. The Doctor has often examined prisoners who said they were sick, and has sent them down to work, as he found them was nothing the matter with them. The largest visits the Prison at irregular hours, sometimes at 10 a.m., and at all hours from that until 4 p.m. He does not come every day. Sometimes Dr. Wagner comes. Sometimes he comes without notice of them being here. The rules require the Chief Inspector to visit the Prison at least once a day, not later than 8 a.m., and others as if required. It is almost impossible to tell whether a prisoner is shamming sickness or not, if the Doctor is not present.

All these charges brought against me for putting prisoners in irons, are some when the other gaoler was away on his holidays.

I was sent to Albany before the opening of the Prison, under instructions from the Inspector and Warden, for the purpose of learning the management and discipline of that place. I saw one or two prisoners punished; they were placed in irons, and a blanket was drawn over their heads, so that they could not see the way in placed the same as in the Prison. I don't know the number of days they were punished. I was told by the overseer the treatment of the prisoners in that Institution is much more severe than here.

I never reported anything to the proper ones; I was appointed Deputy Chief Gaoler in 1874. If the other gaolers assault prisoners I do not know it. The only time I was a prisoner of the same of Cormack who, one morning, would not come out of his cell to work; three of the officers went to bring him out, but were afraid to go into his cell, so they sent for me, and I brought him out and placed him in irons in the dark cell. He was let in irons, Sergeant took off the prisoner's boot, and took him over the bench, and cut his head open in two places; this was my error - provided. I did not report it to Sergeant's duty to report he was kept 48 hours in irons. I took the Warden himself in one or two days afterwards. A prisoner named Quinn would not leave the dark cell when I went to the cell I found Beesmont handing him with a stick. I refused to bring the prisoner out. I struck Beesmont a knock on the shoulder when I was taking him to the dark cell. It may have been the case referred to in the evidence given by the guards.

RICHARD H. SYDEMAN

CHARLES BEESWORTH sworn.—Am head foreman in the Mechanical Department of the Camden Co. Company's works in the Central Prison. I never saw any cruelty to prisoners. They are not punished in my presence. When prisoners have been in irons, I have noticed their wrists were swollen and their arms would be stiff. There has been an 18-hour system of punishment since the days to be as I know. I never saw employed in any industrial prison before. About March, 1875, Governor Pitt-Lewis reported to Colonial Secretary that he was sick and unable to work, the guard told me he reported him. the prisoner was brought back, and left standing near the door. I thought Darbishire ought to be sent

A. BEESWORTH

Adjourned.

Resumed 3 p.m. 18th November

CHARLES NEWTON recalled.—The bars and every work referred to by me in my former evidence consisted of air-drops, ovens and other attachments for watch duties. I don't know whether Jones made bars—write for other gaolers at all. I have seen bars-attachments on other gaolers, and bars-watch-chains, but don't know how they got them. I never had any bars-work made by prisoners. The new prior in May 1877, the Warden, about that date, requested an order prohibiting guards having any work of the kind done by prisoners.

Mr. Stenhouse told me the bars-work was for him. I think prisoner Lewis was employed at his cell, however he was considered insane. I remembered as of the time the next morning after Lewis was beaten, I heard or talked about by the guards. I never heard any of them say

that Lewis had offered to confer Goodman before Sodbuna struck him with the bar, or that he received in any way any aid (I hear that any of the guards were about) to go out. Lewis said I have seen prisoners assist when being put into the dark cell. It is a common thing to find knives and files on prisoners. I think they get these things for carrying on their work in the cell.

E. Newton.

Grand Rounds, recalled.—After Lewis was struck by Goodman it was talked about by the other guards. I did not hear any of them say that Lewis had offered to strike Goodman, before Goodman struck him, nor that any of the guards were about to go into Lewis' cell. Before Lewis was struck, he was standing quiet, he was silenced by my ordering the prisoner part, and not made to work.

I have put men in the dark cell, and on searching them have sometimes found knives and files. I never knew or heard that any prisoner had drawn a knife or file on a guard.

H. Rounds.

Grand Jurors, recalled.—I assisted Grand Rounds in putting Farrell on arms about April of this year. I must state on this I put prisoner Wells in front. I put the prisoners who are in the habit of trying to harm others behind, as other guards have this duty unless asking Chief Guard Sodbuna, who sometimes put prisoners in front himself. I recollect Farrell in the guard-room calling Chief Sodbuna nothing else but a liar, and on my asking at it, he was shouting at the top of his voice and seemed to be frightened at something, that had occurred previously, and on my asking him what was the hold of Sodbuna's statement he threw him on the bed, and Lewis and myself standing, what Sodbuna struck him with the key, I have seen very hard men struck by him with the keys. Sodbuna struck Lewis on the left side behind of the way up. Mr. Newton did not say to me that Lewis had offered to strike him. Then was a scene which would shock any one to see. Five guards on the spot. It has been broken at the door-case of the cell beside. He can bring that mark on his head, when we went in the cell we looked to the cell we made of the floor of the station that it was broken at the door-case. I saw a piece of the frame work might be broken off by a strong man had the key been broken we must have noticed it when Lewis was thrown on the bed. I was not present when Lewis struck Wright. one of the reasons why I thought him mad was, that when he was called a question he would answer, he thought quite a different subject to what I have put to him. I considered his phrases and almost mimicked he never spoke to another prisoner to my knowledge. I accused him a man who might commit suicide, the looking, took place not over a week previous to his removal to the London Asylum. I went round several times a night, and the last time I went round he was still fixed based his hands to the bar of my recollection was when I went round he was still fixed based his hands to the bar of my recollection was when behind him. His door was as fixed as London would permit the prisoner to stay placed in it. I think Sodbuna struck him before he threw him off the bed, but am not certain. I have seen prisoners make resistance and heard of I say frequently. I have often found his cell and his cell as prisoners have never been supplied with a weapon on a guard. His Sodbuna struck the guard had a prisoner had taken up a hammer to strike him. I was heard of guards calling for Sodbuna when prisoners were screaming out. Chief Sodbuna was evidently a very bad man and would not hesitate to use anything, and I believe would so fortify himself. I may have heard any prisoner say any guard which would indicate they deserved to get rid of Sodbuna. Prisoner Hulme was a very tempered and a dangerous man. I have

soon him fainting-like come on old man, and when the old man would not do what Wells wanted he got into a passion and said he would strike him if he had been capable.

WM. J. MAXWELL.

Grand Sergeant recalled.—Lewis acted very friendly. When he was asked a question, he would not answer. I think this was before he was struck with the key. I heard he had had up a bundle in the absence of a man, in his cell. I remember the guards talking about Lewis being struck. I heard Sleeny and others talking about it. He said how then my dear Lewis allowed a prisoner to strike before [illegible] struck him. I did not hear any thing about the guards being afraid to go into Lewis' cell. I think I heard Grand Gifford say that he and Lewis had some difficulty one morning. I remember the time Mr Gifford refers to, about the bathing. I was for Sheehan at the door, and he asked what I brought up any man for? I said [illegible] it is for Lewis' orders. He said, "No. Cannot my brother I met Gifford's group or not. I remember prisoner Hackett about the same day. I heard Lewis and Gifford in the dark cell. I went to acting Deputy Chief Grand Sergeant and told him Hackett was in a state. He is a fainting constitution. I thought he was sick. I did not hear Hackett say to Steel man in the cell, he would not allow my black ass of a b—k like him to take him to the dungeon. He might have said so, but I did not hear him. I did not hear Steelman strike him in his cell. It was outside where I saw Steelman strike him. He was very noisy in his cell—outside the cell I saw Steelman strike him, as given in my evidence. When we took Hackett out of his cell, I walked by his side, and Steelman and—Hanlin, you are not going to answer on any of your own knowledge, and attack him. I do not think Hackett said anything after he left the cell, until he was struck. He received on the back of the hand. I think till he was examined. I think I am sure also; I was close to Hackett, and by the pressure of Hanlin against his elbow struck; I think Hackett's face must have been examined. Hanlin was a fair man,—he had a very bad character before coming here; he had a dangerous look and was considered dangerous, and had threatened Grand Sergeant. I have found Hanlin on intimation. I never knew or heard of prisoners offering to strike guards with knives, or fists, or other weapons.

M. URQUHART.

Affirmed.

Remand 7.50 p.m. 19th November.

Grand Sergeant recalled.—When Lewis was in his cell, he was always reading his Bible, and would ask me the meaning of certain verses from the book for character of the questions and by manner of talking there. I thought he must be insane. I was on night duty I would hear him shouting in Welsh. The next day after Steelman struck Lewis it was a matter of general conversation. I never heard any of the guards say that Lewis had refused to strike Steelman before Steelman struck him. I did not hear that the guards who went to Steelman's cell refused to go into Lewis' cell before Steelman came up. I did not have any more work made for me by any of the prisoners. I never heard Lewis refuse to go prisoner. I am of opinion they got the knives for the purpose of striking prisoners, and the fear of knives has made the guards afraid of prisoners. Instead of stand on terms, and attack into a reasonable handle. I never heard of a prisoner offering to strike a guard, either with a file, knife, or any other weapon. I never had any trouble with Lewis. I never told Urquhart I had. Sleeny was a quick-tempered man. O'Loughnessy was a quick-tempered man.

WM. GIFFORD.

Grand Jury recalled.—I returned a bulb to the guards' sleeping apartment in April, 1874. The armoury was in the dining room. I was in the guards' sleeping apartment when they were talking. Grand Gifford came to me and drew my attention to the fact of the armoury door being open. There were three or four prisoners (guard room warders) at the dining room, having their breakfasts. Mr Steelman was in the sleeping apartment talking part in the talk. The corridor guards keep the key of the armoury. I did not tell Mr Steelman or any other guard that the armoury was open, and did not

shut the door. The reason I thought Lewis Jones was leaving the guards was on. He not think a man was world about in the way he had. I do not remember anything being said about it afterwards by the guards. I did not hear that Lewis offered to strike Mr. Blackburn before Stedman struck him. I have found knives and files on prisoners: I never heard of a prisoner offering to strike a guard with a knife or file. I heard prisoner Farrell say that he would knock some prisoner on the head with his hammer if he might be had any other time to put it after his sentence expired.

Prisoner, Nil.

R. Gunnyeare, recalled.—At the time I saw Stedman strike prisoner Rodney I was about the door from Mr. Urmson was bringing Rodney along. Rodney was very violent—he used some very abusive language; he called Stedman some very offensive names before Stedman struck him.

By Chairman.

Mr. Adams recalled.—On visiting the Fairs I have been brought into constant communication with Mr Blackburn, and have had the very best opportunity of forming an estimate of his ability as Chief and Deputy Governor, &c., of forming an opinion as to his discretion, and I have no hesitation in saying that, in my opinion, Mr. Blackburn is not a proper person to exercise arbitrary power consequent of being left to deal with by such, but no one should have a prisoner been sent to work after being committed by him and found unable to work, until discharged him as convalescent.

W. J. Adams.

Mr. Stratton Fraser, sworn.—Am Warden of the Central Prison was appointed prior to the opening of the Prison, previously to my appointment I held the office of Chief Warder of Portland Convict Prison. I have been going about from in, and prior to taking charge of the Central Prison, I visited the following Prisons in the United States for the purpose of ascertaining their system of working, and particularly as to prisoners' diet, punishments, and the general discipline: Albany Penitentiary, Massachusetts State Prison at Boston House of Correction at Cleaver—the Female State Prison at Lollaska House of Correction at Boston—Washington State Prison at Jackson, and the House of Correction at Detroit; These are all industrial prisons. The Albany State Prison the House of Correction at Detroit, the latter a reformatory establishment. At Albany Prison, established exclusively to the Central Prison as to term of residence: while in some cases the term of sentences to be left for a year, in others a shorter term is given in averages. The Albany Penitentiary rarely kept among American Industrial Prisons as to sentences of despotic, who are a fourteen years. With the approval of the Governor I adopted the system of the whole and Lollaska Prisons as my guide in general to and management. During my visit to these prisons, I found the strictest discipline prevailed as to punishments. I did not see any punishment exceed bock. The system of punishment is Lollaska, being the grouping of solid water on the top of, I did not approve of. I understood from the Deputy Warden, that in Albany Penitentiary and Massachusetts, the punishment is more on death cell ranged from 12 hours to 15 days, according to the offence, and was regulated according to the amount of prisoner's strength to stand. I have witnessed the following punishment in cruns,—she had been in room for a week. He was said to be a very dangerous character and would stand any punishment to get out. Punishment in the cross is a dark cell was inflicted a time-indication, fighting, disobeying rules after repeated warnings, assaults upon officers, refusing to work, and repeated breaches of prison discipline. On my recommendation Mr Bennett and Mr Sedman were sent to these State Institutions.—Mr Sedman to Albany and Mr Bennett to Sollaska, on their return they made a full report as to discipline &c., as everything contained with those prisons. The Central Prison opened on 1st January 1878. Mr Bennett being the Chief Gaoler and Mr Sedman the Deputy Chief Gaoler, I may state here that the Surgeon at Albany and Jollaska Prisons were selected away from the corridors. In the Central Prison we had no dark cell or place of punishment. I was compelled to select 4 cells, two on each corridor, and convert them into dark cells, by putting a wooden door in front of the grated door I adopted, as far as possible, the system

mented on it. Affairs as to punishment, being guided by the information I obtained on my visit to the Prisons, and that furnished by Mr. Beaumont and Mr. Steadman, and as no one but a prisoner been confined in a dark cell, and in irons, sometimes only for more than 72 hours, and in only one instance for that time, and he was taken down to meals, and to use the heads, then was the instance to the Guard and Foreman. After a prisoner has been for twenty years in prison, I always tell him it will be so many, and if he expresses penitence, I have him taken down. I do not remember the precise number of the murderers in the case referred to, but the punishment was not 72 hours. In awarding punishment, I am guided by the previous conduct of the prisoner, the nature of the offence, and the duty, health, and conduct of the officer in charge of the cell. I have found the system of punishment effective in accomplishing the object desired. Mr. Steadman's evidence as to raising how of prisoners' meals is correct. About eighteen months ago I issued an order that the hole of prisoners was not to be cut for the meals previous to the dish change, and that order has been obeyed. I remember Seaborn reporting that prisoners Nelson and Brownhill, and Saunders, in the bedding shop, had made a disturbance, and refused to work, for example, and that he was leaving his bed as plaster. I ordered him to be handcuffed with his hands behind his back, and to be kept in his cell. This I assisted was guarding to do Little being insane at such time, if he was a lunatic, he was a very violent one. no officer made a report to me that Saunders was insane. He was a very violent man. He was during this investigation I ordered the Chief Guard to take Fitzherbert out and give him a good wash and scrub, he (Fitzherbert) was considered himself for two days and nights, and hope the guards or the Steamer should see him with a meal. He was not insane to me, and I would not have allowed treatment of that kind had I known it. I gave no such orders to the Chief Guard Draper Chief Gaoler's last statement does not appear to me to be other guards for fighting were to be placed in the dark cell. and if a prisoner were into the cell the prisoners were visited, their persons very often to them and report to me. Also, if prisoners refused to work, and on being removed from their proper business violent disturbance on being taken to the cell. Also, if they were guilty of crime as reported to me. If prisoners were found acting in doing things, or other minor offences they were not to be removed from their gang, but reported for my judgment in the evening, after days work of labour. I would not be sure to date back cell, an dismissal of three I get, and of output according to the nature and frequency of the offence. If a prisoner reported himself unwell, I was the duty of Dr Harpur to see Guard to keep him in his cell and then report to me, but was to put him on trial. Prisoner Mc. Carthy was not able to do any work of labour. Prisoner Mc. Carthy was not able to do allowed him to paint two pattens for my room, and some for the guards. I consider the plaster is no punishable property of the Government, as the plaster is not. I did not say to Sheehan to tell Miller and Carson when they were found. I did not suppose he would strike him over the head with his mate, as alleged by some of the guards. I never heard of a cell being placed in the prisoners until this investigation. If I would heard of it, I am certain I would not have countered again. I do not think I ordered O'Shaughnessy 72 hours in irons, or expressed my approval of it. I never ordered any prisoner to be had his own stockings and was kept in irons for 72 hours. I do not recollect being present when he was put in irons. I visited the cells daily, and the prisoners' clothes and bedding. In silence was reasonless to the Guard and Foreman, and returning to work. He was a workman, sharp, troublesome man, and I should not be surprised if he were. It true, would not have had any effect. Prisoners in irons were in all cases to be taken down to meals, and to the hockey at 8 30 p.m., and at 6 o'clock in the morning. During the night they could not be taken down, when turning the crank which lays all the doors now without disturbing all the prisoners to the wing and waking up the guards in the dormitory of just the key. Guards were not allowed to strike prisoners, except in defending when a slight tap to call the attention of the prisoner to his fault or was not being kept to the right place, was allowed. Two that has been discontinued, as I found one of the guards had struck a prisoner over the back with his cane. One afternoon the Deputy-Chief Steward reported that prisoner Bray would not go into irons as I had ordered. I went to the chief cell and saw the man, he defied the guards. I told Beaumont to put him in irons. Bray defied him, and when Hackney went to put the irons on, Bray said— "If the Warders were on, I will be put in irons." And he did not offer any further resistance. I

saw Stedman draw his revolver, and I heard him say he knew he would take no nonsense and that he had letters to guard. Stedman afterwards showed me his revolver and it was not loaded.

W. S. PRINCE.

Adjourned.

Resumed at 11 a.m., 14th November 1876.

Sergeant LEVY, sworn.—I am Assistant Physician in the London Lunatic Asylum, was appointed in September 1876. I remember Mrs. Caldwell on the 19th February 1876, three females were brought from the Central Prison to the London Asylum, by the Prison Police. Their names were John Nunn, Edwin Edwards and William Girard when a female is received from a prison or gaol by warrant, she is handed over to one of the chief attendants with instructions to examine the person at once, and see whether he or she, has lunacy, or suspicion, &c., and if the lunatic is not clean, or has lunacy on him or anywhere, the attendant reports at once to one of the doctors: the attendant would make a report to my mate in the particular case, I noticed there was something wrong about the bodies of Nunn and next for Dr. Alexander to examine him, he reported the arm as being extensively bruised, and that Nunn could not make use of either the sensation or the other hand. William Gerard was reported all correct. Edwin Lewis was reported as having a bruise on his head, I may have said to the person he did that one of the females had been badly treated: if I did say so I must have been mistaken, the person on Lewis' head could not have been very severe as I could have heard of it: when females shaved or made a great noise we remove them to the refractory ward and sometimes give them a sedative or a stimulant: we never put them or any other lunatic behind door head: lunatics are frequently put by the heads to prevent them destroying property: I have never seen lunatics with their heads shut behind their backs, when Lewis first came in he was put in the refractory ward, owing to representations that he was an epileptic, and had hallucinations which rendered him dangerous: we found Lewis quiet enough: he may possibly have shouted but I cannot remember his doing so: he has not had a fit of epilepsy since he came to the Asylum: cases of drug taking and of lunatics are very rare with us. Anything that may have led to

[illegible]

[illegible]

Sergeant LEVY.
M.C.P.

Dr. Allitsen certificate as to the insanity of prisoner Lewis, is dated 9th January 1876.

The Doctor in his certificate states: he is unwilling to communicate in conversation, looks unsane, computes persons are trying spaces to get him into difficulties. Is naturally depressed, sees visions, has communications from James, &c. &c. Is sad and misquoted or threatened to harm himself or others. Is alleged by the Central Prison Hospital Board that he had an epileptic fit or attack on the 30th instant.

John Boyd's (County Judge) certificate is dated 9th January 1876.

Dr. Richardson's certificate is dated 6th January 1876.

R. C. Wood.

Adjourned.

Resumed at 3.10 p.m., 14th November

Captain PRINCE, recalled. I remember ordering Collins to be put in cell. I also remember visiting his cell the next day and on his expressing confidence for his release, I had him released from irons. I have that Stedman has been applied to, over and over again, to come and put prisoners in irons, and I have gone to the dark cell when Neal was in, has been getting prisoners in irons and have seen guards standing outside the cell, and they appeared as though they were afraid to put the prisoners in irons themselves. I have never shown any partiality to guards. I have found prison guards to be like any other men: more complaining of petty matters, others satisfied when fairly treated. When one has 18

of 20 grains to deal with, and all are required to submit to the rules of the Prison, it is to be supposed that frolicsome old fogies when a prison or instructor grated with the rules is treated more severely than others, and that particular is shown, but I am not aware of giving any cause. I am in statement marked "W" and wish to be the part of my evidence.

W. S. Prince.

(Statement marked "W.")

Warder's Office, Central Prison of Ontario, Toronto.

Mr Gladman has been the support and mainstay of the discipline of the prison. He has devoted himself with energy and earnestness to enforcing, my orders and the rules and regulations; and without its watchfulness and truthfulness in reporting breaches of duty on the part of the officers of the prison, I could not have carried out the prison rules and method which exists in the working of the prison as the present time. His thorough confidence in the discharge of duty, and his fearless character. I have never found him in a falsehood, his entire temperance, and his unflinching resolve to observe and make others observe the discipline of the prison, have been of the greatest service to the Government, and to myself as Warder. Indeed he is the only officer who has appeared to take the moral view on the prison, as I take myself, and to assist me in my onerous capacities, and the cause of duty and right in the prison was in a. The temperament of the first grounds is due to him, the having out of which must have saved the Government much annoyance and trouble. He has been a faithful to his other onerous duties. His church services, Catholic and Protestant, were impressed by him in the selection and organizing of an excellent choir. He has succeeded in getting singinleaded, fair prisoners, who had escaped from the prison; and I can confidently state, that had he not been by his watchfulness in exposing shortcomings he would not prisoners must have escaped. That he has been acting Chief several more than eight months, during which period, the prison duties have been conducted with efficiency in every respect, and apparently with complete harmony; that in my daily contact with the officers, I have no recollection of one of them having preferred any complaint against Mr. Gladman and in addition to my visiting the prison both morning and afternoon I have been in the habit of visiting the Hospital Gardens, Barracks, Lumber Department and generally, nothing complained has been offered to me, and I with confidence state that not a single general has ever complained to me of any ill treatment of prisoners by Mr. Gladman.

W. S. Prince.

Alexis Elliot, the Hospital Guard on January 1875, and now in England states, I was standing by at the time Central Prison opened, when Stedman was putting Hopkinson in room, and did not see Stedman strike Spackman, neither did I hear the words Daniel Johns says Stedman said.

W. S. Prince.

Re Wm. S. Warden, sworn.—I have acted at different times since the opening of the prison for Dr Aikins, as medical attendant. I have attended prisoners in the hospital on their cells and on the daily visit. I never heard any prisoner complain of the treatment I have never seen any act of cruelty on the part of the guards towards the prisoners. When Mr Stedman was Deputy Chief Guard, I was brought in to count a good deal with him during my visits to the prison. I consider him a most disciplinarian, but I do not consider him a cruel man. I have never treated any prisoners for wounds received on punishment, except in one case. I forget the name of the prisoner he had been fighting with another prisoner and one of the guards struck him across the back. I don't remember looking at the wound. I prescribed oil.

W. J Warden.

Mr. Sudbury recalled.—I have served as an executive officer a the Central Prison from the opening with hesitations, and discharged my duties to the best of my ability

For the last eight months I have been acting as Chief Guard. I deny the charges of cruelty preferred against me, and I assert that they are false and malicious, and that they would never have been mentioned had I been intelligent to the wishes of the prison, and had been guilty of neglect of duty in screening from the Warden declarations of duty on the part of the guards, instead of reporting them to him. I have ever upheld the discipline of the prison, enforcing the rules and regulations, and His Worship's decision, with calmness and impartiality. I would respectfully ask the Commissioners to enquire my record of conduct with that of other officials. I beg to state that on the 3rd of July, 1874, Guard Sullivan was over, when on duty drunk as a sweep, as evidenced in the afternoon on my entering a cell there as the public testimony, pulled a loaded revolver at him, threatening to shoot him if he did not stop, and repeatedly fired off his revolver loaded with ball cartridges—being the public swamp. Capt. Prince dismissed him from the Central Prison; but he was shortly after reinstated by the Honorable Mr. Fraser, Commissioner of Public Works. He shortly after made get drunk and assaulted another Guard, threatening to kill another prisoner on the 11 inst., and on the 12th of August, 1874, one of the fifteen friend Michael Enright, was absent, without leave, from his duties from 8 a.m. till 6 p.m. when he returned. The Warden made his report to me, and I communicated having the prisoners doors, ceiling out, and creating a disturbance and confusion among the prisoners. He had shortly after reported them to the Warden. No action was taken in the matter although the conduct and character were represented by the Warden as unfit for a prison official.

RICHARD H. STEDMAN

J. B. CAMPBELL, recalled by Mr. SCHOMAN.—When I came to the prison I was a stranger to those sons of the guards. I was told by Guard on two occasions to look out for Mr Stedman. I considered it a singular and cold kind of caution, as if to scare me. I gave him the slightest chance. From circumstances I had with other guards I was led to believe they misrepresented me in finding fault with the prisoners. I thought they believed the ill feeling on the part of some of the guards towards Mr Stedman was on the score of their driving cattle on certain days. I do not know any wrongful conduct on his part. I believe there is, from what I have seen and heard Messrs. Gilbert, and Mr. Stedman have a deadly enmity of Stedman. I have never heard Unlands, Harrison, Messrs. Fox, Dean Kirkpatrick or Baxter speak against Stedman.

JOHN E. CAMPBELL

W. J MANNERS, recalled.—I was on duty on night guard the time Lewis was beaten by Mr Stedman. Fraser was on night watch. He was very much excited. He was on earlier guard on duty as night. I reported the shooting of Lewis to Mr Stedman. I did not go to Mr Stedman the Lewis was breaking up all the furniture in his cell. I did not know until the day that Lewis was beaten. I never saw any broken furniture in Lewis's cell. I saw the stone referred to in my evidence, but nothing else as to the cell was broken.

W J MANNERS.

Guard SULLIVAN, recalled by His WORSHIP.—I have been a guard since 8th March, 1874. About two months ago Guard Bennet spoke to me about Dillon's case, and, from what he said, I think he was trying to influence my mind against Stedman. Guard Bennet, Guard Keenan, Stilwell, Unlands and Hill speaking unfavourably of Stedman. I cannot recollect the exact language. From what I have heard, I have believed those guards were instigating with Beaumont against Stedman. I do not speak of my own knowledge, for of that I have heard Their language to me confirmed it. I never saw Stedman speaking to those guards. I did see him one evening talking to Cunningham. The subject of the conversation was a letter in the Peel Canadian Newspaper. Stedman read his account. Unlands was not at one of the guards. I cannot give the particulars as to what the guards said about, but me to believe they were instigating. I did not mean any of the guards say they hoped Stedman would be dismissed. Some said they thought he would. I remember Hill and to Gifford and Unlands. We would be very comfortable here, if Stedman was away. This was during the investigation. The other day after getting my evidence, Guard Bennet

natural, and I have given up evidence, and stated no wish, I had said in reference to Miller. I answered "Nothing." as I did not consider he had been ill-treated. He said he would have not brought before the Coroner's Jury again, or impose me; that I ought to give evidence as to Dolan. The next evening I saw an article in the *Telegraph* newspaper, signed "Examiner," and believe Quinn Clifford wrote it, or furnished the information to others to write it.

WILLIAM BERTRAM.

Adjourned.

Resumed at 11, a.m. 16th November.

JAMES SOPPIT sworn.—Am Hillside Agent of the Prisoners' Aid Association, and in that capacity I have visited the Central Prison since its opening. I visit the prison every Sunday afternoon. I generally remain four hours. I also attend the Sabbath School every other Sunday, along with a staff of forty teachers. I hold religious services every other Sunday, when ministers of the various denominations officiate. The Catholic clergy have services every Sunday only in the morning. I visit the prisoners in their cells, and converse with them on religious subjects, and give them tracts. Some few of them give me their confidence, and tell me their troubles. I remember prisoner Sparkes observing me last March. They were pre-occupied marks across his back, but I did not notice that the skin was broken. He told me he had tried to escape. He was apparently very sorrowful, and said. I could not make any impression on Mr., and's grey clothes. I remember several prisoners, on leaving the prison, telling they had been flogged and beaten by Mr. Bertram, the Deputy Chief Gaoler. I have many complaints of this kind within the past eight months, but not within the last two months. Dolan complained to me on leaving that he had been beaten severely by Bertram, with a rattan; but I did not attach much importance to it, as I considered him a bad man. I never heard his cause of grief,—he seemed to be hardened. Finlayson complained of being abused by the Chief Gaoler. Cassidy did not complain of being flogged. I don't remember Lewis, Whaughkamp, Collins, Grey, Gary Carson, Snow, Gibbons, Edwards, Watt, Maden, Bardell, Farrell, Hennigan, or Perkins. They did not complain to me. I remember Cunningham, but he never complained to me. I have known some prisoners say they had been flogged or used by the prisoners, and that they were not punished. I remember Cunningham had bad language used in the prison myself. I have not communicated to the inspector, or to any of the Board of the prison, the complaints of the prisoners. Had I heard of any shockingly bad case, I should have considered it my duty to report it to the Inspector. Neither the Warden nor the Mayor of Toronto visited Sunday School. I don't even test reading there.

JAMES SOPPIT.

CENTRAL PRISON, Nov 19th, 18-6.

J. W. Langmuir, Esq.
Inspector of Prisons, Toronto.

SIR,—Ever since I entered the service of the Central Prison, I have had but one object in view, viz., the discharge of the duties assigned to me, to the best of my ability, without fear or favour. This I can honestly say I have done; but as to doing, I know I have raised up for myself numerous if not powerful foes among those I was called upon to punish as an officer of the prison in good time I may have committed errors of judgment, and perhaps in a few instances, in my zeal and honest desire to make the Central Prison, what I now consider it is, the Model Prison of the continent, I may have used sometimes an unnecessary too rigid discipline, but only one having knowledge of the prisoners he has to contend with, and the necessity for promptly putting down every act of insubordination, to another less feeling, may

judge what is best to be done: my conscience tells me that I have done nothing wrong in this way, but everything for the best interests of the prison. I do not wish to say one word against those who have completed my term, as I feel that none will fully meet my character. Feeling, however as I do, that by remaining in my position, my motives in trying to save you will also try to screen the prison, and that by remaining, I would only embarrass the Governments, I herewith tender my resignation of my position as acting Chief Guard and would request to be immediately relieved.

I have the honour to be, Sir,
Your obedient servant,
RICH. J. H STEWART.

Copies of the Inspector of Asylums, Prisons, &c., Ontario, for the year 1870.

Toronto, 31st November 1870.

Sir,—I regret having to report, that the Lieutenant-Governor of a large number of the prisoners confined in the Central Prison became so grossly insulting as to amount to a premeditated mutiny which spread and soon prematurely closed work, might have resulted most disastrously to the discipline and government of the prison. For some time past, it would appear that certain evidences of established insubordination have been apparent, but which became very marked at the prisoners' dinner call yesterday, in the protraction of a good deal of noise and tumultuous. The alleged cause on that occasion was the insufficiency of the rations; which I may remark as one most liberal at any prison in Canada and fully as liberal as any prison in America, and if compared with the rations allowed to British soldiers will be found to be better in all respects. The average weight of solid food, besides tea and coffee, allowed to each prisoner per day is equal to 2½ pounds.

When the prisoners' dinner was finished, they were marched out in groups to their work, and 30 refused to proceed with their respective companionsmen. The matter was reported to me, and I immediately proceeded to the prison arriving at 3.30 p.m.; at once ordered all the prisoners to be formed into line in close group, the guards being present with loaded rifles and pistols.

I addressed the prisoners that the rules of the prison would be rigidly enforced, both in respect to labour and discipline that insubordination in any and every shape would be immediately met with a firm hand. I pointed out the liberal nature of the dietary allowing the commands ignored the complaint as made. I asked if the prisoners who were unanimously prepared to go to work in rotation as before, as I knew that were not, as stay in the Court. Four accepted the offer, and although I knew the reply to be untrue, I thanked those four men, they promised in their insubordination, when I ordered them down, take shovels to given to each on their return back, in presence of all the prisoners. On enquiry I found that one of the four prisoners was mentally weak, and therefore not entirely responsible for his acts, and who was therefore not punished. The ringleaders were handcuffed or ankleed, the prisoners were again formed a line marched the prison square, when the punishment ordered was proceeded with. I may add further that the object of the punishment has been fully accomplished, and that henceforth action of this nature of the confined nature will be accepted.

I have also ordered that the use of the associated dining room shall be abolished, and that the dinners as in the case with the breakfasts and suppers, will be served in each prisoner in his cell. This I trust, will prevent the system of communication with each other and prevent unlawful acting which undoubtedly had been arranged yesterday.

I have the honour to be,
Sir,
Your obedient servant,
J. W. LANGMUIR,
Inspector.

The Honourable,
The Provincial Secretary

SCHEDULE OF LETTERS AND REPORTS RELATING TO THE INTERNAL MANAGEMENT OF THE CENTRAL PRISON TORONTO.

1874.

March 30.—Letter from the Provincial Treasurer to the Inspector of Asylums, Prisons, &c. enclosing a Memo. on the Inspector's Report on an enquiry held in the Central Prison.

Feby 17.—Report of the Inspector of Asylums, Prisons, &c., of his investigation, including minutes of evidence taken 10th February 1874.

" 19.—Report of the Inspector on the escape of two prisoners, on the occasion of his investigation.

June 13.—Report of the Inspector of Asylums, Prisons &c., on the escape of a prisoner from the Central Prison, on the 13th May 1874.

" 17.—Letter from Assistant Secretary Robert to the Inspector of Asylums, Prisons, &c.

" 26.—Report of the Inspector of Asylums, Prisons, &c., on the escape of two prisoners on the 21st May 1874.

July 7.—Letter from Assistant-Secretary Robert to the Inspector of Asylums, Prisons, &c.

1874.

Nov 18.—Report of the Provincial Secretary to the Executive Council, submitting the evidence taken at the investigation into the internal management of the Central Prison.

Aug 7.—Letter from the Inspector of Asylums, Prisons, &c. to the Provincial Secretary Robert to the Investigation

Oct 31.—Minutes of evidence relating to the general management of the Central Prison.

Nov 17.—Letter of resignation of Acting Chief Guard Richard H. Hudman.

" 21.—Report of the Inspector of Prisons, Asylums, &c. on the suspension of a matron in the Central Prison.

Dec 28.—Memo. by the Provincial Secretary on his investigation of charges made by the Warden of the Central Prison against Chief Guard Beaumont.

1875.

Sept 18.—Letter from the Warden to the Inspector of Asylums, Prisons, &c. enclosing a letter dated 8th September from Guard Wall, complaining of the conduct of Chief Guard Beaumont.

Sept. 20.—Memo. of investigation of certain charges by Patrick Wall against Chief Guard Beaumont.

" 23.—Letter from Chief Guard Beaumont to the Inspector of Asylums, Prisons, &c.

Feby 20.—Letter from the Warden to the Inspector of Asylums, Prisons, &c.

March 1.—Letter from the Inspector to the Provincial Secretary.

" 5.—Letter from the Inspector to the Warden of the Central Prison.

" 9.—Letter from Chief Guard Beaumont to the Provincial Secretary

" 17.—Letter from the Inspector to Chief Guard Beaumont.

" 22.—Letter from Chief Guard Beaumont to the Provincial Secretary enclosing copy of a letter from him to the Inspector.

" 25.—Letter from the Inspector to ex-Chief Guard Beaumont.

" 29.—Letter from the Inspector to the Warden of the Central Prison.

April 2.—Letter from the Provincial Secretary to ex-Chief Guard Beaumont.

" 30.—Letter from the Warden to the Inspector of Prisons, &c.

April 19.—Rules and Regulations Central Prison.

" 30.—Letter from the Inspector to the Provincial Secretary enclosing letter dated 30th April, from the Warden to him.

May 8.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary

" 10.—Letter from Assistant-Secretary Robert to ex-Chief Guard Beaumont.

" 13.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary

" 19.—Letter from Assistant-Secretary Robert to ex-Chief Guard Beaumont.

June 7.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary

1878.

July 6.—Letter from the Chief Guard Beaumont to the Provincial Secretary.
Oct. 8.—Letter from the Chief Guard Beaumont to the Provincial Secretary, Indian, on the investigation into the charges against James Beaumont, late Chief Guard.
Number of evidences taken during said investigation

1878.

Letters referred to be foreign on evidence.

Nov. 8.—Letter from J. McMaster, Hamilton, to the Warden of the Central Prison
" 9.—Declaration of John Massey late Chief of Police Hamilton
" 8.—Declaration of J. B. Beaumont of Hamilton.

April 10.—Letter from the Inspector to the Warden of the Central Prison.

TREASURY DEPARTMENT, TORONTO, 30th March 1878

SIR,—I beg to enclose Memo. containing my observations upon your report of the 17th February last, relating to the inquiry held by you under my instructions of 4th April, 1877, into certain alleged misapprehensions between certain officials in the Central Prison. A copy of my Memo. will be communicated by you to the Warden, and by him read to the guards and other officials of the prison.

I am,
Your obedient servant,
ADAM CROOKS,
Treasurer

J. W. LANGMUIR, Esquire,
Inspector of Asylums, &c. Toronto.

MEMORANDUM on the report of Mr. Inspector Langmuir dated 17th February last, relating to the Central Prison.

The undersigned has considered the report and the evidence taken under the inquiry directed by the instructions of the undersigned dated the 4th February last, and

Firstly—His opinion of the character of the persons being strictly maintained and that the warrant and rank must comply with such regulations as may be in force with respect to them, as well as the uniform and guards on the prisons.

Secondly—That it is desirable that the suggestion of the Inspector for separate duties of assistant-keeper and storekeeper be adopted in future, and that in lieu of such distinction he adopted.

Thirdly—That Chief Guard Stedman is liable to censure for the expressions which were maliciously used by him as regard to Norman Outside officials and any indication as the future, of such feelings being harboured by him, will subject him to dismissal.

Fourthly—It is to be regretted that the evidence shows that inquiries have been addressed on several occasions into the private affairs of those officers whose duty it was to have received the attendance as the Warden, assisted to do so. It is right for the public interests that Chief Guard Beaumont and other guards have been in the habit of frequenting public houses or taverns in the neighbourhood of the prison. The regulations with respect to the use of intoxicating liquors must be strictly enforced, and the Warden Officers and Guards will be held fully responsible for the observance of it. Inasmuch as the Inspector of the prison deems the intimate report the direct observance of robriety on the part of all the officials

Fifthly—The evidence shows beyond reasonable doubt that Guard Bell and violated, on one occasion, at least, the essential and the Inspector would have been justified in his immediate dismissal after the inquiry. I must direct that this should be done forthwith, and with the usual form.

Lastly—Any wilful disobedience of the rules or neglect of duty will be visited to the last measure allow any such case to unable to happen

ADAM CROOKS
Treasurer

TREASURY DEPARTMENT,
Toronto, 30th March, 1878.

Copy of the Instructions of Arthur Pinhorn, &c. Orkneys, Temple, February 17th, 1676.

Sir,—I have the honour to report for the information of His Honour the Lieutenant-Governor, that in pursuance with instructions contained in your letter of the 4th instant, I held an investigation into the matter of complaints that others without certain official of the Orkney Prison of Orkney, and the effect of such antagonisms upon the discipline and management of the prison; and I herewith transmit the evidence taken on the case in connexion therewith.

It appears that the want of harmony so confined in five officials of the prison, viz., Daniel Macgarky, Steward and Store-keeper; and Michael English, Cook and Baker, on the one hand and the Warder, Chief Turnkey Samuel Sommerset, and the Deputy ditto, Richard Hudson, on the other.

The causes of disagreement, as stated by the steward and cook are—

1st. The too rigid enforcement of prison rules and discipline by the officers named, appearing to personally injure the steward and cook; and a disposition to force them out of the prison service also to the annoyance of the Governor and Board of Visitors, the Chief Officer, and breach of discipline which the steward and cook think we are not worthy of notice, as all are favourable to regular discipline.

2nd. That the steward should be required to conform to prison discipline, as a guard, and that he is deprived of privileges as to alcoholic liquors.

3rd. To test fealty and comply against the Catholic offence and grounds, evinced by the conduct and statements of Deputy Chief Sommerset.

On the other hand I am alleged in the evidence of the Warder, and the Chief and Deputy Chief Turnkey, that the steward and cook constantly ignore important prison rules, and disobey the Warder's orders, thereby injuring the discipline of the prison, both in relation to the officials, the prisoners and the prison management. They further allege that although the cook and steward have been on guard, they have surprised far such offences against discipline and the rules of the prison, they persistently smoke in such a room.

Such being the nature of the complaints against towards the officials named, I propose to deal with them in the order in which they are placed.

1st. The evidence proves that the opposition of the prisoners, in relation to the duties and conduct of officers — namely, the Deputy — near plans and subscription against them. If the not think that is to be best or is advisable or even needful upon the opposite course I am convinced with the Deputy have obtained some confidence, would have been most obnoxious to the best interests of the prison. This point but wholesome discipline, so far as I am character — been proved in all the prison officials alike, with the result, that—that the guards, some of whom drafted as first under a, have proved trustworthy and steady, without complaint, perform the duties required of them, not only willingly and cheerfully, but with an intelligent appreciation of the necessity of strict discipline. The steward and cook, on the other hand in a small appear have kept up a continual opposition, sometimes even amounting to open passive resistance to the orders of officers, not subsequently they have ignored the one and disobeyed the other. Some of the offences and breaches with which they have been charged are trifling and others important, but their course generally has been one of antagonism to discipline. For instance, as refers to meals, mentioning smoking before or during prisoners, while on duty the order is disobeyed, openly and defiantly. It is evident that prisoners while at work must not be left alone, but this rule is persistently disobeyed by the cook, and frequently by the steward. And all officers and guards must attend evening count, and remain until all the prisoners are accounted for; so completely ignored, both by the steward and cook; the order that they must be present along with other officers and guards when the orders for the day are read, they persistently refuse to obey that they must not on familiarity with prisoners as no search allowed, that when prisoners are removed from the kitchen to other cases, they are found contemptible that all officials are to be in the prison at certain hours is frequently violated.

These, and other breaches on the part of the steward and cook, have been so frequently reported, that the officers charged with that duty now leave the offences unreported.

I have examined the orders referred to, and the circumstances that seemed to call for their promulgation, and cannot see in them, or the means taken to carry them out, any evidence of a desire on the part of the Warden or his subordinates to discriminate over the steward and cook, or to annoy them, or even to put them to unnecessary inconvenience. The first appears to be that both the steward and the cook are intrusted with the idea that under discipline means tyranny, and that the officers charged with the duty of enforcing it are their enemies.

The grants of the prison being composed of soldiers, except the position, the steward and cook being civilians patent agents.

But while regard to the complaint of the steward that he has been deprived of privileges, and also that he is required to conform to certain rules which he believes should not apply to persons guards, the evidence does not sustain the allegation. Privileges and the rules referred to in his capacity of steward, having reference to his charge. In the performance of his duties as storekeeper, he has been in no instance his own master. It is only those that if persons are allowed to enter the precincts of the prison or outside or any office of the prison, they must be kept responsible for their, as persons guards they must be subject to the discipline every employe, and that the duties of the steward and cook are duties of the prison. In those respects but in no other have the steward and cook been looked upon as prison guards.

It is quite possible that if he have had been found at the opening of the prison regulations and rules, the desire of every officer and employee, many of those troubles might have been obviated; but such observations and supervision rendered the necessary means of the prison in those respects, it was not considered desirable to frame by-laws that might seem to be intended solely for the steward and cook, they were found subjective and unworkable. Sufficient experience, however, has now been obtained of the working of the prison to enable such by-laws to be enacted, as will clearly define the duties of all officials, and leave no doubt as to the privileges they are possessed of or the nature of the rules required of them.

The Chaplain complains of the treatment the Roman Catholic Sunday-school teachers and Instructors and merely against the various Catholic officers and guards, is not likely to say reasonable. viz. Chief Guard Beaumont and Guard Gifford. This statement made by Beaumont to Rose must, and which the former admits to be correct in. I think, as explained by Beaumont upon oath, as to the fact that at least a number of Sunday-school teachers had on the occasion against the Roman Catholic employees of the Prison.

Guard Gifford's statement that Sheehan had refused to come to the table and one or two others, in order to get the Catholic employees out of the Prison, is pronounced false by Sheehan; but as it is in evidence that Gifford after other officers surrounded a short time after it took place, I am inclined to think that such an approach was made by Sheehan to Gifford. For the prevention, I refer you to the evidence of both the parties on my return to prison to prove that the fire by me extended beyond the limits referred to, and I would suggest that the Warden warned the chief officers to be very guarded in this respect.

Those, therefore are the sources of the antagonism that exists between the officers named and the parties of such antagonism upon the management and discipline of the prison. In addition to the want of harmony between certain officers of the prison, there seems to be evidences of a jealousy, and chiefly arises that those that have been interested into the guard room and guards dormitory and there drank by certain employes of the prison. This seems to have been brought to the notice of the Warden only on one occasion, although it is evident that it was of frequent occurrence but on the occasion referred to a very stringent rules was read to the employees of the prison warning them that such an offence would meet with instant dismissal. The following rule was also promulgated, viz.—

Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating liquors on or about the prison. Intemperate will insure instant dismissal.

Notwithstanding the order and rule referred to, it was proven clearly that liquor

has since been brought into the prison; although this offence did not come to the knowledge of the Warden or his two Chief Guards.

It also came out in evidence that Chief Guard Passmore, on more than one occasion, was present with some of the guards and employees when drinking was going on in the evening, at a house close to the Prison.

In order to remedy the results of the antagonisms referred to, and the other defects in the prison discipline, I would most respectfully recommend:—

1st. That by laws be prepared and enacted for the good government of the prison, defining the duties of every officer and employee, and the relations they must sustain to each other.

2nd. That the work and labour shall be divided upon as a prison guard, and shall be subject to all the rules enacted for the guidance and instruction of guards.

3rd. That only the Warden, the Chief Guard, the Deputy Chief, and the ordinary guards, shall board and lodge in the prison.

4th. That the duties of steward and storekeeper shall not be performed by one and the same person. Mr. McCarthy could not be the clerk of storekeeper and in addition shall assist the steward in keeping the books, &c., the duties now performed by the steward, shall devolve upon the Chief or Deputy Chief Guard, as the Warden shall direct.

5th. That a separate office from the Warden be assigned to the bursar and the storekeeper.

In the way above indicated, I think that the evil sources of antagonism will be controlled, the discipline of the prison rendered more effective, and the former of good government be easily improved.

I have the honour to be,

Sir,

Your obedient servant,

J. W. Langmuir,

Inspector.

Evidence taken at an Inquiry, held by the undersigned, Inspector of Prisons, &c., for Ontario, into the conduct of certain officials and guards of the Central Prison of Ontario, on the 16th Feb. 1872.

Daniel McCarthy Steward and Storekeeper of the Central Prison, being affirmed, deposed as follows:—I have been employed since Warden was brought into the prison by Guard Bernard. I was formerly in Kingston. I was clerk of the prison. Guard Passmore, I think, I was not aware he had charge of [illegible] I have never seen it there. I was affected by Jones' leaving. I was not aware that Guard Passmore has been in the habit of going to the house [illegible] with the prison premises with Chief Guard Bernard. He used to drink liquor with Bernard, both Chief Guards, and myself. The last time I saw Jones, he also held me that he had some liquor on the prison premises, and being drunk by effect of the prison. I have drunk liquor with Passmore, at Higgins' saw; about seven o'clock in the evening. That was another day. On that occasion Mr. Boulton was away from duty, and I believe Passmore was away from duty. I have known Guards Bernard and Doherty to be in [illegible] between the Penitentiary and the city on the same occasion as myself each time I have seen them. I do not know but what he guards had passes to go out and [illegible] I have no guards on such occasions over at 9.30 p.m.

Examination this day, I did not see him on the night the Warden came home from his trip of absence, on the 5th November when he was following prisoners from the west, that he (Bernard), said as a guard was one prisoner, that the Captain must be home, for there was a light on the door step. On looking, English and he found that it was Guard Bernard lying drunk on the steps. English stated the Bernard was too intoxicated to keep from about saloons, by the night previous. [illegible] I have known other persons to also place in the guard room. On one occasion Mr. Stephens and Guards Bernard, Bernard, Doherty and I

think Gosney, were at the upper supper. It was about a month ago. I was not present; I went to bed. I know of nothing more in contact to the introduction of liquor into the prison premises.

On the first Sunday that Rev. Sturgis Carlisle service was performed in the chapel Father Rooney was officiating. It was customary for the Catholics to kneel down at prayers. Father Rooney, observing that the prisoners were standing up said, "How is this?" Deputy Warden said, that is the order now. The clergyman remained to see the Warden immediately. He was told by Mr. Goodyear that the prisoners might kneel down on their accounts. On the Sunday following, that is the one succeeding it, Deputy Goodyear took his bed to which chair in the aisle-way. He kept his bed on the left of the Protestant seat, in the middle. Mr. Carlisle then observed that we were praying standing, on the supplement of Sentence to a question by the Warden's attorney. I remember seeing the clergyman directly opposite where I was. I observed Robert Sawyer kneeling down, and when church was over, Mr. Goodyear said to that Mr. Sawyer must remain as he is to say that Sawyer was a Roman Catholic and that he the Captain had been told he would not have more than to. This is all. Mr. Hopkins, told me that Deputy Goodyear called Grinnell out of the guard room one Sunday shortly after the prison was opened, to see Mr. Sawyer kneel down at the prayers out of the prison. Grinnell did not do so as he was required as a Catholic witness. I have not heard any such expressions of feelings against Sawyer as mentioned by anyone. The service of the prison has Mr. Hopkins, Mr. Benjamin and he said he did such feelings existed in Sawyer's presence. I do not think Sawyer would have suffered. I am sure that the Warden has a good feeling for all clergymen that Gentleman should be allowed to use such language, I think the Warden would have something directly. Sometimes I have seen the Warden use the expression that Protestant and Catholics were to behind the limbo. Hopkins says myself down like dogs. Suspecting the key question, I had a key which opened the guard-room door in the inside door, and I think all intermediate doors. Every key is a heavy one, and I suppose I opened the guard room door with the key. The next day I found that the Warden had taken that key from me. I called him to account for it. He said Turner seemed to be no use for it as for as preventing prisoners from escaping the Warden said that there was no fear of those prisoners escaping. Can't think that the key and lock were changed only to hinder me.

I was aware that there was a regulation that no officer as guard was to be admitted through that door except they required. That I was to be dismissed.

The two prisoners who are in charge of report as the cook explain as he occasionally as me to remain, although that allowance is made whereas the prisoner to be report and room next to the keeper parade, and in a case to be watched, therefore but it was about to English and myself were to be employed.

The Warden also objected to me to talk as I see from the watch-room door through the window, and I remember the cook was in his usual place, and I sat outside of the door through the corridor to the inner house, and after the last time we ... stopped, to take it through the kitchen door there was no ... from one part of stairs and ... and ... and I found that that was if we be done. It is now taken through the corridor to the ... and I observed ... then through the dining hall into the prison yard. I believe that ... to give the ... last and ... Dismal last an answer I thank an answer, I allowed two friends of mine who had gotten, signed by some persons I don't know to ... to ... the prisoner by the statement from ... I find this is ignorance of my application against ... to act, and I thought ... and ... that ... exact conditions ... would be ... to me to know that I would not ... any improper person.

But as many my friends this one of the choice. Lyons, the gate is ... at the ... Stephen of Stephens I do ... come on and I ... my friends ... I ... to ... took them out.

For this I was reprimanded, before Mr. Warden as I sincerely recommended, and was told that it would not admit any body by that door ... order was to be allowed to the cook-house, to ... same such effect.

On another occasion, I was reported for admitting strangers through the store-room door in the base of the ... Mr. Warden ... came to me with a ... to ... look at the prison ... and I also told them ... that ... exception would be made as ... instances ... but I was ... reported and ... told, "You are reported again ... as if they wanted ... to ... respect frequently against me.

I complain that I have no privilege whatever, and that I am hardly dealt with, and although the order had reference, I suppose, to all officers, still Mr. Short was allowed by the Warder to take friends into the room, whereas Warden I am informed, remaining that the order only referred to the Steward and Cook.

D. McCarthy.
Sworn 7 S. K.

John Eccleston, Bailiff of the Crystal Palace, being sworn, deposed as follows. I remember the night on which the Warden was released from his leave of absence on November. I came down to see him at breakfast on the following morning and was part of an hour there to get some processes. I arrived at the prison at 11.30, p.m. Chief Doherty met me at the front and came up to the prison with me. When we came to the door of the south entrance I saw what I thought to be the Warden's dog but what turned out to be Chief Bailiff Jeffrey on the steps, apparently quite helpless from drink. We lifted him up and rang the bell, when the corridor guard answered the bell. He attended Bailiff. He could have seen that he was drunk as he staggered very much. I have heard Mrs. Gaillard say going up stairs to prevent him from falling. I did not see Deputy Chief Sandman that night at all and I don't think that Sandman saw Bailiff on the occasion in which he was. I never heard that Sandman ever carried liquor into the room of Bailiff's drawing-room. as should not have been attended, coming after 11 p.m. I came home to the Palace the night after to remain, and ascertained on this date that a room found the door locked. On getting in I saw inside Gaillard, Bailiff and Sumers in the room. They were sitting out of a bottle which I took to be whiskey. I could see it by the light which there was other people present, but I cannot tell. Sandman, as the room was at his room. I think that the prisoners never were in my room, but I was present when Sandman came and went from that room. I was present when liquor was produced when liquor was drunk at my time that Chief Basement or Deputy Chief Sandman had any knowledge that went on the case. I have known Mr. Beaumont to drink with guests out with the prisoners in Hospital between the hours of 8.30 p.m. and 9.30 a.m. I have seen him drink with Chaney O'Neal, Doherty, Lewis and Turnbull. I have heard that the Deputy Chief is a friend and Mr. Beaumont the chief. I was asked by Mr. Warden to get Mr. Beaumont. I told the guard to go to Hospital where he was found by him. At last the guard and Beaumont came in together. I suppose he found him at Hospital tavern. I have been grateful to be driven by the prisoners frequently. I have heard Beaumont to beg and abuse a share of prisoners. Mr. Sherman must have heard part, as he is apt to be noisy. I think that he objected upon Mr. Beaumont. I remember to have on the night on which I took charge of the prisoners for Warden, that he was drunk by another. Beaumont, and had liquor but no more about upon him than I. Under my knowledge, I never saw any liquor in the prison. I believe no one except I saw Bailiff have a bottle to keep and get over his wife. I thought was liquor at times become ruby as well as others. Did not see Beaumont drink with Mr. Beaumont tell me that Sandman had spoken of the appointment of Sumers, who is a former Gaoler, as something that should have been prevented, as he as I know as feelings against Gaillards have been shown by my out but Sherman and that as my property.

John Eccleston,
Bailiff Central Prison.

Samuel Chaney, guard, being sworn, deposed as follows. I have seen liquor in the guard-room of the prison. I cannot say who brought it to. The last time I saw liquor there was two weeks ago. Neither Chief Guard Beaumont or Deputy Sandman were present when liquor was being drunk. I never knew that liquor was taken to the house by guards on duty. Guard O'Brien was the only guard that I ever saw positively drunk. I have seen others who had liquor in them. I don't drink liquor. don't know the taste of it.

Samuel Chaney
Guard.

William Dempsey, Guard, being sworn, deposed as follows.—I came to the Prison on the night of 5th November with the Bailiff. I had been detailed to go down to the station.

We arrived at the prison about 11 p.m. I saw Bellard standing on the north entrance steps; he seemed to be on guard. We did not appear to be drunk. He was standing. He walked up to the guard room all alone. I went with the Bellard and the prisoners and locked them up. I think it was O'Brien who was making this night an corridor guard. When we locked up the prisoners, the Bellard and I went up to the guard room and I had a bed. When I went into the guard room Bellard was in bed. I did not see Mr Hodgson from the time we came on with the prisoners until I came on last. I heard no remarks made by the bellard or by the sergeant guard who let us in as to Bellard's condition.

I swear that I never drank liquor in the guard-room. On one occasion I took liquor in the Police Office. Mr Bateman was present at the time. I was myself. That must have been two Or three months ago. I have been at inquest rooms with Mr Beaumont. I drank with him on two occasions, once in Langford and another time at the Shelborne Hotel. We were both off duty. I was at an inquest supper at Higgins' about a month ago. Beaumont was present.

Wm. Bateman.
Prison Board.

Michael Sergeant Cook and Baker being sworn, deposed as follows. "I informed the Steward, Mr McCarthy, that I had rum, whiskey or liquor being drunk by officials of the prison on the prison premises on or about Christmas Day. I saw Guard Bellard Bennett and Guard Cooper drinking in the corridor about 8.45 p.m. Guard Bellard was in bed but were not there at the commencement, but the whole room is about 8 p.m. I went into the room in order to be in the steward's bed that night. I was in the room when the three guards named came into the room. Bellard was not for the whole night about 8 p.m. and came into the room with one bottle first; after that another bottle was brought in by Bellard from the tavern. Bellard came into the room when the bottles were going on and also drank some. I drank some also. The bellard drank rum. The rum was locked up in Mr Richard Baker's safe but Bellard had the key and took out a bottle. When Tobin was doing valley. I have on two occasions seen liquor being drunk in the guard's bedroom in my presence by two warders. I don't know what liquor it is the evening is. I am constable. It was brought from the tavern. I saw the guard carry three bottles. Lyons, Doherty and Officer Smith on three occasions. I did once. I don't know how they brought liquor into the room. It was drunk when we were going to bed. I have drank on three occasions with Chief Guard Beaumont in Higgins' tavern and Shelborne Hotel. On the occasion on which I drank with Beaumont in Higgins' tavern, he (Beaumont) was on duty as Mr Stedcombe was away from the prison. After having drank with him, Beaumont went home. I would be about 10 o'clock that night. I never drank with any other office of the prison. I think it was in the fall that I last drank with Mr Beaumont in the tavern. I never saw Mr Doherty drink liquor on the prison premises or off. I have my prisoners under me in the kitchen and two in the baby-house. The Warders told me that those prisoners were under my number. I was first appointed for duty on 1st July, and was brought before the Board for appointment. That was a month after warders were sworn in. I was after the prison was opened. I went to the prison under Mr Bateman as a Constable. I was only there for a month. I was up to the prison part on my own from the water-closet, at one month's but week I was appointed Constable by the Governor's request. I was only there for 1 month and a quarter not reaching but I have often smoked on other times, the last time the Steward, Mr Bellard were smoking also, but I believe my rum was not reported. I have also been reported for being asleep on duty. I was sitting in the kitchen with my newspaper in my hand. I saw Mr Stedcombe before he is a chief way across the kitchen. I have also had prisoners taken away from me when I thought them very much; they were kept an hour at dinner when it appeared of an hour would have done. that was when the Warder was away on leave of absence. I have observed in taking the flour out from the store in the quarters way on one occasion one of the prisoners was caught smoking in the bake-house, and he was put 168 hours in the dark cell, although I thought him very good. I was not aware of him that I was not entitled to smoke. I have called the Warden to get off on Sunday from 2 p.m. to 7 p.m. I have been granted that permission, but sometimes it has been refused on the night about three months ago, it was then the 4th of November I came to the prison at 11 p.m. I found the

Mary Ireland. I happed at the north corridor window. I saw Guard O'Brien, and thought he would have gone to the Deputy in case he should not be admitted: he did not come to the window again for about an hour and a half and took four cries in mind. I then came forward to the south corridor, and stayed at the window of the receiving room: no one came. I then walked up and down until 5 a.m. when I rang the bell of the large gate where the Watchman Handy let me out. I should have been in the prison at 9.30 p.m. on that occasion, but I was detained with some prisoners; about two weeks ago, I came about 8 or 9 p.m., and would not go in, and was sent away at 4 o'clock on Deputy Dwyer. I have not heard of any guard being left in after 8.30 p.m. I had a pass to-night. I heard that Bolland was coming on guard last night. On the Sunday of the 29th of October I obtained leave of Sergeant to leave for the whole day to see a Mass: I left on Saturday night and returned on Monday evening: the Sergeant looked after the matter, I did not think that it was necessary to obtain leave from the Governor. I have since learned that it was necessary to obtain it.

Written leave or absence. I considered the rule unreasonable. Rule No. 4 is not enforced, and I am not aware of any instance. I have no notice of Screening. I do not think that I was detained by prisoners for Mr Sanderson and Mr Hoorigan, and I got anything I would at once be reported. I have not known any prisoner to get anything, but bad drink: they always get enough to drink: I never saw any other drink, than only Government stuff: we are to be drunk. I think both Mr Sweeny and Mr Sanderson discovered more: yes, I know my business, they never found drink with my consent or privity or belief, but they mentioned it to me: I was not present when Mr Sanderson or Mr Hoorigan spoke against Cuthbert employ. But in case the murderers pushing that made me believe they intended to get off me.

MICHAEL. ROGERS.
Cook and Baker.

RICHARD SULLIVAN, Guard, below mess dressed as follows:—I have never brought whiskey into the guard-room of the prison. I was present one night in the steward's box room when the Steward was absent, along with Bolland, Dwyer, and Guard Sweeny and O'Brien; the Bailiff got out some to mull the drinking was over. I think Warders drank Government stuff. Mess. Sanderson and Hoorigan and the Governor were not in the box the night of absence. I did not get to the door but I got it at 9.30 p.m. but I know the Bailiff myself as up with the prisoners as about 11 p.m. I would tell my name, when I was let in. I would question myself when the Bailiff and Dwyer would come up to the door. I knew the Bailiff and the Warders must be below, because there was no key. I suppose answering me. I was drinking down in the steward's room, when I heard the Governor's voice and stayed by. I have drunk with Mr. Sanderson in Haggins' canteen in the evening, when the prisons I'd shared the same drink: the drink was short a week ago.

RICHARD HOLLAND,
Guard.

WILLIAM GIFFORD, Guard, long sworn, deposes as follows:—I am a married guard on one day of the week I sleep in the guard-room two nights in the week and the week preceding three nights in the week I have never drunk drink on the prison premises, nor have I seen any drink about there or have anything up: I was in the Bailiff's bedroom when Mr Sanderson came and knocked at the door and told me he wished to see the door in the Governor's office. I came down with him: he told me had asked me there as I wanted me and one or two more to go in with him: I myself got the Caledonian out of the A. I at once said he had got his wrong man this time, my wife is Called it. I would not believe it had for a few minutes and turned and walked away up the guard-room he followed me, but he has never spoken to me since on the subject. I told him about a month afterwards to Guard Doherty also to the Bailiff and to the guard-room, when several were present. I have never heard any such conversation said by any other officer of the prison. I have not seen anything that would lead me to believe that Cuthbert were to be got rid of, but the threatened words in regard by Sanderson. I know of no cases of favouritism being shown to any guard or employee of the prison.

WILLIAM GIFFORD,
Guard.

James Buchanan, Chief Guard being absent, deposed as follows.—I came into the prison in the morning at 8.30 a.m. since the Canada Car Works have been shut down; while they were in operation, at 6.30 My hours here Wednesday & noon. I provide guards at 8.45 a.m. when the Canada Car Works were in operation, but now at 8.45 a.m. and dispose the guards in their respective duties. I superintend the issue of breathing to all the prisoners throughout the prison one third at a time, and personally marched them from the ventilating passage, out into the open air to breathe, and I go with them. The prisoners are then marched out with the night buckets, and then exercised back, and placed in cells. When the guards are distributed for the work of the day, whether for sleep or duty, the prisoners know when the guards report the prisoners marched and exercised. I then give the order to march off. I then visit the various gangs, and see that they are employed to work. I then go to the office, and go in walk my walking out that the gangs are underway and see that they are marched in to be seen by the Warden. I then receive the memorandum of the day from the Warden, and see that they are attended to. That is my way to do them. In time of sickness I attend to the sick of the prison personally. At dinner time, the gangs are marched and sometimes reported to me, which I attend, which I report to the Warden. After dinner the same course which they observed in the morning. Half of the time, one half the guards are on duty while the other half are at dinner. The night are divided into 4 watches of 2 hours each. Sometimes I go over, and guard numbers; the gang and reporting is not if correct, or otherwise, before moving off in the afternoon. I attend the shops. I am not allowed to be prisoners. Share matters consult. No other work and general work up to supper time, when the prisoners are marched in. I superintend the issue of supper. See that all the prisoners are all accounted for. I then report to the Warden that the guards are all in their proper places, give the signal for cell doors to close, parade guards and take the count; report to Warden and dismiss guards. I post the night patrol, and then go to my supper. Mr Stedman has been of assistance to stay out to night. In the beginning of last month of the discharge of three on the next day, report of the 4 was of the prison in any information to the night, I was appointed to be discharged it is sufficiently necessary to bring under the Warden's notice, and to obtain instructions to be noticed. Mr Hall assists the Warden in the discharge of the duties of the office. I will be reported to the Warden the number of cases that I notice are absent as many as the number of cases that I report to the Deputy Chief Mr. Stedman, reports to me as to his reports are of such a nature as I can to take the report is not carried to the Warden, unless the duty is not complied. I have frequently had occasion to report the case of the Steward to the Warden. I think that the last report I made against him was that he would not attend when called upon to hear the Warden's decision read. He called upon every night in the steward marched at evening parade, but about one weeks after the opening he neglected to attend. An order was then placed upon the door of the Steward's office of all present in a short prison office as the Steward's office. The Steward did not hear this, when an order issued on the 7th July not requiring the attendance of the Steward at the night of orders when he came to be read attending to the Steward. Shortly after that order was made on the 7th July issued order was made in respect to the duty of the Steward. I notified the Steward of the order. I never reported to the Warden. The Steward has not proceeded in the reading of orders since before the 20th June, although frequently opportunities been made in respect to his duties. Since that. I have not had the Steward to hire and read the order affecting him, although an order was made requiring the Steward liable for the care of the prisoners in the absence and back-house gang. I have noticed very frequently that the Steward appears all rules in the manner of discharge it in and speaking to prisoners, he generally calls them by their Christian names— my boys — to the them and instead of saying a silence does not take. I they will be good enough to do or sent on The Cook English, follows the same course, which does away with all discipline, and as most observable as the comfort of prisoners obtained from the kitchen at bake-house or other gangs. Both Steward and Cook smoke before prisoners. I have reported both of them for this and the Deputy was reported to me for the in me offence

The Deputy has stated to me that he would not stop the Warden's orders. Only last week I told him that to must give up at night, the key of the outside door of the

merchants, he dashed it down on the floor and used the language stated in my evidence before the Warden, and which I now swear is true and correct.

(Statement marked No.)

JAMES BRADBURY, 3rd Steward, Central Prison, states as follows:—I am the Chief Steward, Central Prison; my duty is to take over all of the outer Association Central Building; all cooking stoves, in accordance to orders. On the evening of the 1st of February instant, during a key dinner, which should have been handed over to me by the steward, I proceeded to the cells, and called the steward first. The steward having two cells to open, we first, he first, and dashed the key upon the floor saying, "I have to do it—I do it." He has been an operator in Fenian cases, Mr. Redmond knows since I have been here, and if I am to be operated, I'll make sensational news or I'don't, and made to leave, and got others to come to them, which will make it hot for you and other of——d Englishmen in the Institution for months. Prison, you are Fenians but make an exception to me——d never discipline. The steward stated every one in the prison and supposing his figure is true, 1,600 and upwards, he would be operated upon; I think, as an agent Fenian it was impossible to come with him, if left the stove. They took place in presence a prisoner and the cook the latter about by laughing.

JAMES BRADBURY,
Chief Steward.

A short time before the last occurrence happened, the general complaint of the bad quality of the coffee. I was in the kitchen for the week. When I procured a sample that we must make up our minds to have coffee all tea or all coffee. I then went to the cook and asked him if he had sent that sample, he acknowledged in a very surly manner that he did. When the steward came into the prison that morning about 10 a.m. I asked him where he had been he said he had been in the cells in connection with the stores. I asked the cook up before the Steward and related the conversation about the tea, and requested upon them that I would not allow such a message to be sent to me. that it was the Warden's orders that both tea and coffee was to be served out that it should be properly cooked. The Steward said the cook was wrong, and pronounced that a repetition of the same message would be sent to me. The cook replied he was only doing his duty. Others and myself were by the Steward on the occasion of my making this key. He had cast to me key of the principal entrance to the Association Cells on the day when he broke same follow. I merely reminded him of the other which he broke out on stated I had it possession of the Head Monitor, and the Steward in all he went to get the other. He called it to remind him when the other key. But when he made of Monitor, he repeated him to me, I merely reminded him that I was acting as a medium between the prison officers and the Warden.

I had previously reported to the Inspector that the Steward had let prisoners into the prison through the storeroom door contrary to the orders of the Warden. Before reporting him that he was violating the rules, and that I would have to report him, he said, "report it, and the quit hard, I don't care.

From all I can see the steward and the cook are getting more defiant of the Prison rules. They are over and above again examined with others, thinking they would come under the discipline the same as the other guards. They both were sworn, and it he cleared in my mind.

During the Warden's hours of absence, on the first Sunday that Sixteen was on duty Mr. Gartlan came up to me and said: Why Sweeny is a bullock. I said what matter of his does he say? He said that very hastily. Mr. Gartlan turned round and walked away. The Warden before that, had frequently warned us not to introduce or discuss religious matters, as he had much trouble with that in the Police Force. That is the only occasion that the matter of religion was alluded to by me in and that is the only time I heard a religious matter referred to in the prison by an officer of guard. I never, on any occasion whatsoever, saw anyone drunk on any portion of the prison premises. I was of opinion that Clifton brought liquor in accused upon his person. Meehan was also suspected of doing the same thing. I have called to my mind hours as Hignett

turnips on mutual occasions, perhaps three or four times. On those occasions, I have seen some of the guards, and have drank with some of them in Brigades' private mess, never at the bar of the prison. I never visited Lynch's room while I was on duty. I believe I remember the night that the Warden rang the bell for something, and that I was under the impression that either Barnes or Elliott (the guards, came and found me waiting in the door of the waiting room. I was not in Sergeant Barnes last night. I have seen the Guard at Sergeant Barnes', we have had oysters together there. I think one or two guards were present. Barnes, I think I have been to Barnes with one or more of the guards. No private soldier ever entertained me upon this subject. I did not think I was doing wrong in associating with the guards who held non-commissioned ranks in the regular army. I have never known them Bollard was drunk. I thought he was a very sober man. The guards perform their duties cheerfully and faithfully. I never have any trouble with them. The steward and the cook are the only persons I have had any trouble with in the Penitentiary. Trouble with them has been the non-complying with the rules of the Prison.

Frequently I go down to the Penitentiary in the forenoon and afternoon. About four mornings ago I went down over the eleven o'clock, and found the cook away. I then went into the kitchen and found him in bed, and making a noise to him. I told him that he was allowed to right to act as the steward, when he had so many prisoners in the kitchen, he said "yes, if I wish to." When I expressed my opinion, he rejected the answer.

JAMES BRADFORD,
Chief Guard.

RICHARD SUTHERLAND, Deputy Chief Guard being sworn deposed as follows.—I have never seen Baylor drunk upon the prison premises. I have seen guards drunk and have reported them. I have left Gallows reported for drunkenness on the 17th of June. There are but few guards or employees of the Prison that I have seen intoxicated on duty. O'Brien was discovered on Sunday the 21st January, quite drunk. I took him home and reported him. On the same morning, I saw a man in a state of intoxication at the prison door and I took him down to Gideon by Watson, and when I went back I found that the man had been taken away. I know that O'Brien's friends took him home, we should let the steward a room one night, as they were noisy and as I might that they were drinking, but as the door was locked I could not get in. I found Gideon by one night in bed at eleven times, when he came out, I told to find out what was going on but Gideon would not say. This took place a few nights before O'Brien was discovered. I reported to the Chief Guard that I suspected that drinks was going on. I have reported the following guards for various offences and breaches of discipline—Sergeant Doherty Corporal Bollard, O'Brien, Cain, and Abernethy Gosse and Avery they were confirmed and reprimanded. I have also reported the steward and cook on three or four occasions the offences for which they were reported were reported. the cook was reported on account of his being asleep, on the fire shook up and reading a paper while in charge of prisoners. I have seen Sergeant Doherty in the kitchen talking while on duty. I told him that I thought there was no use of reporting him any more. the cook is altogether too friendly with the prisoners. he associates with them. I observed I go through the kitchen he is talking, sometimes joking with them frequently during meal times. I have reported the state of cooking in the prison premises. there is no kitchen, when prisoners were present. cooking is carried on there. I have never seen Gallows or any other officer or employee refuse to the part of the steward and cook. The guards are most obedient—the three work cheerfully. I never had any ill feelings with Gallows. I have heard complaints of the guards or officers of the prison. and it never called Gallows or any other guard, or any officer of the prison to you as in trying to get Catholics out of the prison service. I am not crazy enough to do such a thing. I have had private conversations with Gallows, but never on the prison premises, about religion but I declare to my word it was at some private conversation, but I was not against Roman Catholics. I never said anything to Gallows that would lead him to believe that I wished to get rid of Catholics. I have not reported Gallows as I have had any misunderstanding with him. For the first time or two months I had the 4th of a day to the prison, simply because I did not [illegible] to let my duty but now than that all know that I will to it I have to trouble. The guards

sen't the least notice for me. I remember the first morning that Guard Bowers attended the Roman Catholic service, when I came over I said to Mr Beaumont that Bowers as a Catholic Mr Beaumont said I thought neither should you, "what of that" he then his duty" I thought he was rather hasty, and replied sorry, I was going to say to him the Roman Catholics cannot say anything now as I was then not then considered him to be a Catholic as being a regular man. At first he served as a guard for the Car Dourgay I had heard from conversation in the guard room that there was some feelings against me by the Guard and the 20th I learned from the conversation that it was supposed I was against them because they were Roman Catholics. The feeling is that I am very partial against me because they were I was not so. then I entered out the Warder's said were serious enough, I did not now suppose I thought they were the trouble in respect to Roman Catholics arose, as far as I was concerned was, because I had supposed they could be more efficient. I had no knowledge that was a Roman Catholic then. then I had to report the circumstances that I had to report Hawkins as they all happened in the Roman Catholic Chapel. I had to find my way to the Chapel. I was instructed that it was the case because the party day after I reported Hawkins I heard the statement say in the guard room that I was a Roman Catholic. Colebrook was also Colebrooke to me I had no ill-feeling against Roman Catholics, the best friends I have in London are Roman Catholics or his first Roman Catholic service that was held in the prison chapel, I was on duty the Warden told me that rehearsal was to be held. I was sent to Albany Penitentiary to observe the directions of that prison, prior to the opening of the Central Prison prisoners were not allowed to hold service at the Roman Catholic or Protestant service. I reported that fact to the Warden. The priest on the occasion of the first Roman Catholic service in the Central Prison. I was present. The priest conducted service mixed we heard down. I went to explain the matter but as he would not hear of it. I then left the priest there. the prisoners were turned out of their cells and the Warden having done so, the Warden said the kneeling might be continued. When I came into the prison chapel on that morning with the prisoners, I had not any official on. I removed of as soon as I came in the room for the purpose of the service. did not collect the prisoners or visit whether any alleged conversion taken out. Of course, as soon as the priest came I took my seat, and was interfered after the first kneeling. I have heard the bell ring to pray all suppose if Catholic O noisy and Doherty would go with him by a name of all Saints Day under Mr Beaumont friend with guards as a warden. The orders made by the Warden afford to the steward's department. are not carried out. I have heard no steward say when to rise in the morning but simply that he would not obey such disorderly orders. I remember the occasion on which the cook refused to obey my order, and was not admitted in it. I heard kneeling and kneeling on the outside of the building. I was going to go in when the guard on duty came to tell me that the cook was outside wanting to get in. I told him he must not admit him the cook mentioned could at work we again, and the habit of kneeling and kneeling continued, and he was not in at the morning. he would have been admitted at 5 p.m. if he promised him and the rule a respect to looking up and non-admission as strictly carried out Guard Powell reported the cook that morning.

Written. Sworn[illegible],
Deputy Chief Guard.

Martin Sweeney, guard, being sworn, deposed as follows.—I was present at the removal a room one night. I think about the 25th January. Guards Bellast and O'Brien were present. we found a bladey in the room. Bellast brought the whiskey in. I don't know from where Bellast brought a second bottle. I don't know where he obtained it. The bottle was on about nine, and we left the room and went to bed about 10 p.m. I am a Roman Catholic I have more or less feeling against Roman Catholics in the prison service.

M Sweeney,
Guard.

William Stillitoe Parsons, being sworn, deposed as follows.—At the time a change was made, Guard O'Brien, I think, in the month of September. It came to my knowledge, by the report of one of the guards, that liquor had been introduced into the guard's room by

Guard O'Brien. I reported the matter to the Inspector in conjunction with other charges, and dismissed O'Brien. I also, produce a copy of an order published in the prison order book, and read to the guards and employees of the prison on the 19th of August, the day of the commitment of Guard O'Brien.

Order referred to.

Prison Order, June 6th.—II. Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating drinks in or about the prison. Intemperance will incur reprimand, and will never be overlooked

CENTRAL PRISON,
August 19th, 1874.

Order No. 1.—With reference to order No. 2 of the 1st August, disposing of a charge against Guard Daniel John O'Brien.—The Warden having taken into consideration that the offence therein specified was the first of the kind that has been reported to him in connection with the officers of the Central Prison since the commencement, he extends the part of the order dispensing Guard O'Brien from the service of the Central Prison, but with the distinct understanding that upon exception of the slightest intimation, disobedience of duty or misconduct, the character of Guard O'Brien will be subjected to increasing and definitely of severity, and result in his dismissal, as it is determined that the strictest discipline shall be enforced in the Institution, and that those officers, who are wanting in habits of discipline and sobriety shall not be retained upon the staff.

I think that the promulgation of the order referred to, had the desired effect for the time being, as I heard of no cases of drunkenness on the prison premises, until Friend Guard Malachi Adams when on duty as overseer night guard, and evidently under the influence of liquor. I had previously ordered that Newton had been a hard drinker and refused to accept him on the prison staff, owing to that failing, of recent years, and nervous temperament. Newton was discharged. Some change occurred. Malachi was appointed to the order, and on the 25th November, and read to the prison officers and guards on that day, with the result thereof, as the dismissal. The third case of drunkenness reported, was that of Guard O'Brien, in the guard room and corridors. I had strong reasons that "Bess brought in liquor, and made himself drunk on the premises. O'Brien to the contrary, and the charge and result published in prison order of the 1st December. There was no subsequent drunkenness reported on the premises. I have had several conversations with the Deputy chief, which had not to believe, that no one overseen, guard, ever looked in the record of the Institution, but evidence had as it was the case, could not be produced. I was certain that Guard Bell and two previously under the influence. I asked Deputy and he replied he could not. I never thought and my impression that he was addicted to drinking, nor had he ever been reported on a necessary that he was not. I was reported to me on the 29th January that most noise was made by the guards after lights were out, and that they had been on the hall going into the steward's dormitory. I suspected that drinking was going on, and particularly as prior visits was made at the hour. On the 1st February, I quietly joining visited same and that the officers nothing themselves in the room set apart for them, after lights out, or in the yard. I have every reason the highest evidence of prisoners was on Chief Guard Beaumont, and until I short time before this investigation, I had never heard that he was a habit of taking drinks, either by himself or with guards. I continued his Beaumont agreed such a course. About September after the re-instatement of Guard O'Brien. I suspected that there a degree of jealousy existed that a degree of favouritism was shown to O'Brien because he was a Roman Catholic. Deputy Chief Guard happened to agree, among the first reports, English, the evil. Hankin and O'Brien guards, and Mr. McGinley steward, all those happened to be Roman Catholics, and the charges were proven against all, all the officers against prison discipline. Orders repeated. From the remarks of the steward, who complained that they were so closely watched by the Deputy I gathered that in the steward, and the rest, thought that they were being persecuted, because they were Catholics. I explained to them, that on finding of the men could possibly exist, as they well know that no such thing would be tolerated by me, as had also hard for

cess in the police force, that I did not care what religion they belonged to, so long as they did their duty. I have frequently explained upon the Chief Guard and the Deputy in general orders such feelings and a desire to see after the organization of the prison. I published an order to that effect (Order No 6, of June 7th). Nothing in connection with this feeling has been reported to me. When the steward first came to the prison, he complied with the prison system shortly afterwards he refused to attend the evening roll-call. I considered important, as he had prisoners in his charge which he had to account for. Upon his neglecting to attend, an order was made and read to the steward requiring the attendance of every prison officer at the evening roll-call. It appeared to me to be most important, for the safety and security of the prisoners, that the officers attend the evening muster, and do not absent themselves until the roll-call was ascertained to be correct. Up to this moment the steward had ignored this order. He also ignored the order respecting the attendance of officers and guards at the reading of the General Orders, in accordance with Order No. 3, of the 5th July. I regretted, I received that the steward should attend the reading of all orders, because I considered it essential that every officer and guard should know what is required of them as officers. As the prison service and in their relation to each other. Reading that to the steward, he replied that he did not consider that I intended order in his case, only requiring his attendance when the orders touched upon his own duties. He still ignored the order and wrote himself, that I had signed his name to the order to read each order to him. I produce copies of letters from the General Prison Order-book, in response to the discharge of each of these the order-matters in the order-book, and as will be observed, proceed to the prison after "night cell." These orders the steward had ignored. He has published the key of the storeroom door, and let himself into prison after hours he has kept his others in. He has also disobeyed order of June 7th, 1874, and June 24th, requiring that visitors shall enter and depart from the south entrance from the central building, and prisoners, when they come for admission to the prison shall be taken, signed by the warder, and received again by the Chief Guard or Deputy. The steward has frequently omitted the duty upon the prisoner, and has omitted to see that the order was carried out. In my opinion upon the order published the steps as I quoted. The book has taken the same course, and now my letters and in support of the Chief Warder and all duties. I have listed the following of Chief Guard Robinson and Deputy Redman supporting the breaches of discipline and disobedience orders to the part of the steward and took and from investigation made, and of my own knowledge in many instances, I admit the duty was frequently correct. I have frequently examined with both of these but without any good effect.

WILLIAM SCARTHE PRISON,
Warden Central Prison.

Central Prison Order Book, 1873.—No. 11 All duties are to be conducted in a quiet and determined manner, and in no instance must violence, swearing or cursing, in the guardroom nor other parts of the Prison, are strictly prohibited.

12. Discussions or disputes of any nature, as to politics or anything else, within the prison premises are strictly prohibited. Both the Chief Guard and Deputy will report to the Warden any infringement of this order that may come under their cognizance.

CENTRAL PRISON February 1st.

Order No. 1.—In consequence of the incongruous position that has prevailed, of the officers wearing a distinctions in the guard-room, by whitening, wearing, &c. other articles of dress, which is contrary in all prison rule and discipline, and which is peremptorily forbidden in other institutions of the same kind, the Deputy Chief Guard, who in the absence of the Chief Guard is held responsible for the discipline and regularity of the prison at night time, will report to the Warden any deviation from the following order.

2. It is ordered that no one shall be observed in the guardroom and officers' apartments, other than regular, and that the officers are free to smoke in the rooms set apart for them.

Prison Order No. 4 9th June, 1874.—No. 9. Guards are appointed to be courteous and respectful towards each other, never using improper language, and always cultivating a proper and respectful demeanour, and they are to abstain from the expression of any political or religious opinions calculated to give offence.

June 6th, Order

10. Lights are to be out in the guard-room a 9.30, p.m. at which hour all officers and employees quartered in the prison are expected to be present, except any who may be specially permitted an extension of time for one evening

CENTRAL PRISON, July 5th, 1874.

Order No. 9.—The Deputy Chief Guard is to have in his possession all keys belonging to the entrance doors of the centre building at night time these keys are to be taken charge of by the Deputy at 9.30 p.m., after personally seeing that the doors are locked and he will enter of a memorandum in his book from-named the Chief or Deputy Chief Guards' Mess Book," a certificate as follows:—

9.30, p.m. 1874.

I certify that all officers employees and inmates, and lights out) at 9.30 p.m (or otherwise, as the case may be.)

Deputy Chief Guard.

CENTRAL PRISON July 10th, 1874.

Order No. 3.—The insertion of the silver is called to Paragraph 15 Rules and Regulations, which is as follows :—"Lights are to be out," &c.

" " " " "

The Deputy Chief Guard will see that this Order is not deviated from, and that no addition to the ten prisons is permitted after the prescribed hour.

CENTRAL PRISON Sept. 26th 1873.

Order No. 4. The Chief Guard will deliver over to the charge of the Deputy Chief Guard, every evening before he leaves the prison, the key of the north entrance gate.

CENTRAL PRISON, February 1st, 1874.

Order No. 5 —All keys of the outer doors of the central building are to be laid vared up to the Chief Guard at the evening census.

CENTRAL PRISON, June 6th, 1873.

Order No. 6.—(19). Visitors to the Central Prison must enter and depart through the south entrance of the centre building, and when passing through the prison will conduct themselves with as much quietness and orderly manner as and talking, laughing, will positively allowed to possess, by pointing or otherwise, are strictly prohibited.

CENTRAL PRISON June 24th, 1873.

Order No. 7.—No person shall be admitted to the Central Prison, other than employees and officials connected with the prison without they produce a pass according to the pre scribed form, which is signed by the Warden, and must be countersigned by the Chief Guard or deputy

CENTRAL PRISON August 31st.

Order No. 8 —It having come to the knowledge of the Warden that persons have been improperly admitted into the Central Prison, by prison employees, it is ordered as follows :—

1st. No persons will be admitted in the prison after 9, p.m., and not after 4, p.m., on Saturdays and no admittance on Sundays (Clergymen excepted).

Sect. No person whether a friend of a prison officer or not, will be admitted without a pass, previously countersigned by the Chief Guard or Deputy: and these officers are strictly enjoined to use great discretion in allowing people into the prison works, indeed it is better to apply to the Warden, when applications are made to visit the prison works, as it is not at all desirable that these works should be open as visitors, except under special circumstances, and no employees of the prison will be permitted to obtain a pass for a friend to visit the prison yard or works unless with the express permission of the Warden.

Sect. Admittance to the prison will take place during the specified hours, by the south entrance, centre building, and through the east entrance gate. Persons having been found in the premises, admitted through any other medium, are to be arrested.

4th In no instance to extend, what the north extension of centre building is to be used only for admission of stores for prison use.

Form of pass;

CONTROL PRISON OF ONTARIO.

Warden's Office, 1874.

Pass

From

Note to

W. E. PERDUE

Order nisi only, countersigned by the Chief Guard or Deputy, to be filled in and given to the party designated to visit.

☞ Any person holding this pass will be arrested and reported at the Warden's office, if found in any other than the place designated in writing in this pass.

CENTRAL PRISON June 19th.

Page 8, Regulations.—8. Employees are strictly prohibited at all times from smoking inside the walls or cell-houses.

CENTRAL PRISON August 3RD.

Order No. 4.—The employees of the prison are referred to the prison rules and regulations. Paragraph 18, page 8. The Chief Guard will see that this is read to them

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OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C, ONTARIO.
TORONTO, February, 15th, 1875

SIR,—I have the honor to report for your information the names of two prisoners named Lake and McKeown, transferred from Woodstock and Toronto Gaols to the Central Prison, under the following circumstances, viz. —

The prisoners betray by some means, etch through the bars of their cell doors, so as to obtain a space of $9\frac{1}{2} \times 7\frac{1}{2}$ inches, essential through and through the face of the wooden door

the 3rd and 4th galleries of the south wing by means of a small shaft. They then proceeded to examine in the dining room, and taking advantage of the door being opened in order that two night guards could intercept and bring left upon entering the time in was concluding the thoroughness in ascertain the temperature of the building the prisoner stepped into the yard, broke open the window sash, thereof thereafter, gained the top of the wall by forcing one of the lower doors, and made good their escape. They have not since been heard of.

An investigation was made by me into the circumstances of the escape, and I found as follows :—

1st. That the escape was due to the great neglect of duty and carelessness of Night guard Powell, who was dismissed, with forfeiture of all arrears of pay.

2nd. The night-watchman's arrangements to walk by the Warders to ensure a proper observance of duty by the night guards, and to see how matters were going on, has daily and hitherto been performed, a knowledge of which encouraged these prisoners in their attempt to escape.

3rd. The fact that the entrance to the wall between the 3rd and 4th yards of the yard, secured at night as recommended by me on the occasion of the walk. This is the second time that has been facilitated by that means.

I at once gave directions to the Warders to take the most stringent measures to prevent a recurrence of the event, ensuring the orders as to be more every detail of night guard duty, and recommending such checks upon their employers by night visits and otherwise, that a rigid performance of duty should be ensured. The Warder now reports that such measures have been taken as to effectually prevent other attempts by the same means.

I have the honour to be, Sir,
Your obedient servant,
J. W. LAWSON,
Inspector.

The Hon. A. McLellan
Provincial Secretary

WILLIAM HARRIS, Prison-yard Guard and Foreman, being sworn, deposed as follows—My duty is to keep the rooms up at night and Prison yard Guard; I got on duty at 5 p.m., and go off duty at 7 a.m. I visit the corridors at various hours during the night, in order to see that the sentries are awake and that the doors are all locked. I enter by the centre landing-room door leading out to the yard, then I open the wicket outside door and locate on the iron gate for the night-guard to admit me. Between these hours I visit at 9 p.m., 11.30 p.m., 1 a.m., and 4 a.m.; breakfast hour about 5 or 6 a.m. Every two years one hour's time between these hours. Powell on night was night, was on duty when I found the gate open. Powell was on duty when I went on duty, don't remember any other guard's name who was on duty when gate was left open; never reported that I found the gate open before this. After making it, at usual time, and night watchmen in charge in the dormitories, saw and spoke to Guard Powell on each occasion of my entering. Powell followed me to the door on each occasion, and I never saw Powell leave that door when I would leave, so that he reported me. Have complained incident at the door and wished to answer of an hour and had to go away without being relieved. Night guards should be relieved by me every 2 hours. Not nothing unusual when I went out at 4 a.m., last night heard no noise in the yard. could not say whether the gate was locked when I went in at 4, as before Powell left it to follow on to night corridor

WILLIAM HARRIS,
Prison-yard Guard.

JOHN POWELL, Guard, being sworn, deposed as follows—Went on duty last night on night guard at 6 p.m., went off duty at 6.30 a.m. saw Chief Guard at 7 and 8, p.m. Guard Martin about 10 and 11.30 p.m. at 12 and 2 and 4 a.m., did not come at 9 and 11.30, nor the Warden at 11.30 and spoke to him passed through guard room and new guards on duty at 10, 2, 4.30 p.m. saw the Deputy Chief at 1.30 passed through guard room on my way to hospital, which is inspected through wicket corridor door stage at 1.30 and 4.30, am new go guard on these occasions went nowhere else than from one corri-

door to the other through dining room except in case someone have key to open wicket gates, burglar, key of outer gate from dining hall to yard; the dark cell key and key of sleeping-room, when on duty at night guard always keep these keys in my pockets. Turn-guard Hardie did not search when he turned to come in at 6 a.m. had opened it for him, and stood waiting for him at the door of the north corridor, left key in the door and did not go back to look it, until Hardie went away about five minutes; went with Hardie into corridor at 2 a.m. and 4 a.m., sometimes long key of gates on the lodge over dining room door; frequently have to clean corridors; can carry it with worker key in my hand; cannot tell if carried a small key in my pocket; door was left unlocked when I went round with Hardie at 2 a.m.; door was not locked when Hardie went round at 12.30, am stopped with Hardie at that time, close to gate did not follow Hardie into corridors at other times, when he came in stood at the door till he came out. Same was collected, spoke to one prisoner in his cell. No. 14, grey, north wing; asked if he was ill; he was sitting on bed 10 h. past 12 a.m., and prisoner during night went to his gallery could swing at 7.30; heard nothing there. Visited my gallery both sides, about 1 a.m. did not see gallows 7 and 8 visited 5 and 6 twice, about 11 visited 5 and 6 at 10 h. past, and once, about 2 a.m. visited frequently round 5 and 6; visited 8 and 10 frequently, visited 11 and 12 about 6.45, pm., part of 4 allotted to 7 p.m., could not tell exactly did not see gallows 13 and 14 exactly; did not visit them gallows again. Did not visit 13 and 14 till between 2 and 3 a.m.; and then only went to the end, stopped where I was to proceed to, and returned. Heard nothing—visited 15 and 16 gallows three times, once at 7.30, 8 and 9 p.m., and 10, gallery was only part of day my part of 7.30. Saw no one visit 16 upon through the night. When Guard Matilda was sent on 4 a.m. I followed him to the gate and locked it, then walked round south wing, and to wing, and then up to the hospital. Visited each cell before I went up to the hospital. I took key of cell No. 1 with me. I went to the hospital last; key in my hand was the one with the collared. Key key on rings are key fours, at 11.30 it was there all the time; never left it, and watched it. Key of cell No. 1 went into the Warder's office, remained six or seven minutes, looked gate and took key with me, was there before to make out my report.

My attendance are that I am to visit the galleries frequently no time is mentioned. Guard Hardie has told me that he has knocked without being able to gain admittance. I told him I came as soon as I heard him. Did not see Prisoner McKeown last night, did not hear him tell anyone that did not know that it was a dangerous prisoner that was sitting reading one night, did not speak to him I believe. Was aware of Dr. Hamilton's visit. Heard no noise from those gallowers last night. Thought it unnecessary to visit galleries frequently as I heard no noise. My opinion is that the prisoners visited at the gate who read Bibles unlocked at about 4 a.m. while I was in yards corridor with Hardie. Prisoners might have unlocked on leaving room in the morning. Hardie never went anywhere to unlock the prisoners' corridors any various unlocked. Warder has frequently called my attention to necessity for going round galleries often when coming on at night. Unfastened from night guards who I relieved, that I should come into Warden's Office to make out reports.

JOHN FURNELL,
Guard.

Prisoner W HOWARD, No. 336, cell two Labor.—Heard no noise during night. Heard guard, or attendant, who guard, pass once through night.

Prisoner J. TURNER, No. 326, gallery 12.—About 12 or 1 a.m. was lying a bed awake, heard some one pass, and saw two prisoners as they passed was very quickly. Heard six and of gallery name Hoe. Heard awoke the two knew in order as not this night guard did not see the night guard at all. Heard three clock down church bars at north end. Heard no other noise.

WILLIAM BARRY, No. 324, Gallery 14, next to McKeown.—Heard whispering in gallery 16, and night noise about twelve, p.m. Heard no other noise. Thought I was the guard.

WILLIAM THOMPSON No. 362, next to McKeown.—Heard noise like filing every night this week. Heard telegraphing with spoons on floor at night.

Rules and Regulations for the government of the Central Prison of Ontario, Toronto.

Department of
Inspector of Asylums, Prisons, &c., Ontario.
Toronto, 9th April 1875

Sir,—I have the honour to transmit herewith, for the approval of His Honour the Lieutenant-Governor in Council, a copy of the Rules and Regulations framed by me, in conformity with the provisions of 37th Victoria, cap. 27 section 7 defining the duties of the various officers and employés of the Central Prison and regulating the management, discipline, and routine of said institution all of which is respectfully submitted.

I have the honour to be, &c

Your obedient servant.
J W Langmuir,
Inspector

The Hon the Provincial Secretary
&c., &c., &c.

"The annexed Rules and Regulations, for the Government of the Central Prison of Ontario, were approved by His Honour the Lieutenant-Governor in Council, at this 13th day of April, 1875."

F G Scott
Clerk Executive Council

Executive Council Office,
Toronto, 13th April 1875.

I

1 The Officers and staff of the Central Prison shall be as follows :—
A Warden.
An Accountant.
A Surgeon.
A Storekeeper.
A Chief Guard.
A Deputy Chief Guard.
A Bailiff.
An Engineer
A Cook (and Baker)
And such grades as may from time to time be required.

II.

Warden.

2. The Warden is the responsible head of the prison, and *superior* in authority to every other officer It is his duty to see that the rules and regulations are strictly observed, and he is responsible for the proper administration of the affairs of the prison except as the Inspector directs them.

3. He shall, with his family be required to reside in the prison, but shall not use the prison labour except for purposes specified by the Inspector, nor shall he use the services of any officer or servant of the prison for his private advantage He shall, in virtue of his residence, be entitled to fuel, light, and water in addition to furnished quarters; but shall receive no other perquisite whatever

4. The Warden is responsible for the discipline of the prison, but shall act on the said premises he shall carry out all orders made and instructions given by the Inspector of

Prisoner: he shall from and after from time to time such orders as may be necessary in furtherance of the prison rules and regulations, entering such orders in the "Warden's Order Book": he shall interpret all rules and instructions; in cases where a doubt arises, and the decision shall be binding on the other officers, and subject to such responsibility he shall see that all the officers under him are careful, vigilant and zealous in the performance of their duties; he shall report to the Inspector of Prisons any neglect of duty, carelessness, misbehaviour or disobedience of orders on the part of any officer of the prison and shall see that any orders made by the Inspector for such misconduct under the provisions of 34 Vict. Cap. 37, sections 2 and 3, are already carried out: he shall see that the rations and quality of provisions, the cleanliness of officers, their due non-pecuniary security or bondsmen is kept towards any prisoner that no prisoner on subsistence diet is kept or used by any officer or prisoner, and that the prisoners generally is carried out with humanity and discretion.

4. In getting what the rations passed for the employment of good behaviour and in every good respect will be allowed upon the Warden, and every officer of the prison, that by getting every prisoner the same rations, and that there is no risk in interference outside him; the rate remission of the rules may be carried out; and in the discipline of the prison that punishes the more active, intelligent and diligent observance of the subordinate officers of the prison, it shall be the duty of the Warden to examine examination and supervision to satisfy himself that the report as to the conduct of prisoners are correct and reliable.

5. The Warden is responsible for the safe custody and safe employment in the dividing and cleaning of the prisoners are strictly enforced; that the food is well cooked, and eternally and substantially served, and that the prisoners have the same opportunity: he is to see that due economy is exercised in the preparation of the food, and that any shortage in the distribution of provisions is necessary by the Inspector or such other person as may be appointed: he shall be present at least once a day at the meals furnished to the prisoners, to see that all regulations are observed.

7. The Warden is responsible that any prisoner who is interned shall by the Surgeon, shall be placed in the hospital and remain under the [illegible] by the Surgeon. He shall see that the hospital is kept in a clean and wholesome state, and that the orders contained in the Surgeon's Medical Book are duly observed.

8. The Warden is responsible to the preservation of cleanliness and order in every part of the building, yards and grounds, and shall see that the above and grounds contained by the sentinels are at all times in a safe condition. He shall [illegible] orders and [illegible] and shall see that no [illegible] or material is used on the grounds that will endanger the safety of prisoners: [illegible] that the doors of the prisoners, their clothing bedding and necessary and that it is working with his or assist at any kind (except the necessary prison work), is allowed to remain in the [illegible] or any other [illegible] belonging to the prison.

9. The Warden is responsible that the prison is properly heated, ventilated and lighted. He shall see that the [illegible] are kept in the various positions known to be the warmest and to collect particular [illegible] and [illegible] which shall be visited at stated hours during the night, and a record kept of the temperature at each visit.

10. The Warden is responsible for the security of the prison, and shall see that the following rules are observed.

(1) That the locks are secure and in good order.

(2) That the entrance doors of the prison shall never be left open, or a key left in any lock, and that the keys are in the custody of the person [illegible] at all times.

(3) That before a guard enters a cell, which any prisoner is in the corridors, the bolt shall be shot and the keys shall be removed so that the door cannot be closed upon him.

(4.) The Warden, or an officer deputed by him, shall once a day at least examine all and doors, bars and passage doors, and carefully examine each window grating.

(5) That all implements, or materials of work calculated to facilitate escape, shall be carefully collected and removed each night from cells and corridors and locked up in a secure place. No leather shall be allowed to remain inside the prison proper but shall be kept in a securely locked store.

(6.) That all prisoners employed in domestic offices shall be closely watched, and

never left unattended. No prisoner shall have access to the inside door of the prison, or be allowed to communicate with prisoners in their cells.

(7.) That all prisoners, while therein, shall be carefully searched at irregular intervals to see that no improper articles are concealed.

11. The Warder is held responsible that every night before the hour of retiring, every part of the prison in which prisoners are confined shall be visited either by himself personally, or by the Chief Guard, and he shall examine the night guards to be trusted on such nights as irregular visits to some parts that they are on the alert.

12. The Warder is held responsible that all guards who are placed on duty for the night, shall be fit for duty in every respect, and shall so arrange the Rosterder might duty that no persons can be relieved for sleeping on their post.

13. The Warder is responsible that the working gangs are guarded at proper hours, and examined on their various workshops; that in the case of offences or discharges of a prisoner, such shall be noted in his Report Book, and then keep in the safe custody; that the clean gaunts, instruments, and workmen employed within the prison walls observe all the regulations of the prison. He is responsible that no work is not exercised, that the gangs are mustered and counted at each meal and before knocking up, so that each prisoner may be accounted for. That during the prisoners the night, that the workshops, hospitals, cells, rooms, store-rooms, closets, water-closets and lumber yards shall be cleaned out daily by the prisoners; he also that all tools that the belongings of all gates or doors inside the prison shall be secure and locked up, and that no person other than the employees of the Prison is on the premises that be assisted be placed at or near the walls to facilitate escape, on the lower-or outside; that the night guard is vigilant and alert in the performance of his duty: that the night guards are in their posts before the prisoners are locked up for the night in the morning, and that they are not left alone for more than 30 minutes; that they are properly armed, that their rifles are in good order, and that they have a sufficient supply of ammunition; that every person are taken in charge are ordered of the prisoners during working hours.

14. The Warder shall visit each ward daily at least once every day during the hours the prisoners are working, and shall make himself at to the behaviour of each prisoner in his sanitary diseases and of the members of his ward. He shall observe the relations that exist between the prisoners and the instructors and workmen, with a view to check an undue familiarity or an enmity and shall see that no prisoner is worked beyond his capacity or strength and that no favouritism exists.

15. He shall satisfy himself that no prisoner receives any gift, reward or bribe from any guard, instructor or workman and that no communication is carried on by such means with parties outside the prison. Should he discover any such correspondence, he will at once suspend the offender and present further instructions with the prisoner, reporting the circumstances to the Inspector of Prisons.

16. The Warder shall not absent himself from the prison for more than twelve hours, without getting leave from the Inspector of Prisons; nor shall he absent himself from prison duty for more than forty-eight hours without leave of absence or in case of sickness, reporting himself sick as the Inspector of Prisons. On the absence of the Warder he shall leave the next senior officer in charge, who shall perform all his duties, and be subject to his responsibilities; but it will be the duty of each officer to report for the Warder's consideration any important matters that do not demand immediate attention. Should an unusual or extraordinary occurrence arise, reference will at once be made to the Inspector of Prisons.

17. Whenever any subordinate officer ordered by the Warden in lieu for his division, or detective in normal character it shall be his duty to report the case to the Inspector of Prisons immediately in cases all prison duty pending, the Inspector's attorney into into the case. The Warder may not, however summarily dismiss any officer without such investigation. When any officer as suspended, as if from the fact of such suspension, or wages nothing or arrears will be paid to him or no be able entitle to fine under the Inspector's authority.

18. The Warder should consider it his duty to make himself acquainted with the usual habits in a case that of every officer of the prison, particularly whether, when off duty he is a frequenter of taverns or houses of similar resort, is associates in the do or also conversers respecting the facts in the Inspector

19. The Warden shall use every reason in his power to forward the examination of the

prisoners under his charge.

Visits of Magistrates.

27. It shall not be lawful for any Justice of the Peace, except at a quarter sessions or other meeting or may be held for their benefit and instruction, and shall facilitate their communications with clergymen of their respective denominations for religious instruction; he shall see that the books of the Prison are regularly kept, so those entitled to them are used, and that cleanliness and decency are observed in their behaviour.

Wardens to keep Books.

30. When a prisoner is received into the prison, the Warden shall cause him to be bathed, his hair cut and shaved, &c., shaved, and he will then be examined by the Surgeon, should he be suffering from any disease he shall be disposed of as the Surgeon shall request. He shall be clothed in prison dress, and the Warden or Chief Warder shall enter over to him the rules of the prison, and if free from disease, he shall then be supplied as a mill, and be placed in a working party.

Prisoners' Property.

31. The Warden shall cause a complete inventory to be made of all property or clothing found on the person of a prisoner on a book to be called the Prisoners' Effects Book; should any money be found, it will be handed over to the Accountant to be deposited in the Post Office Savings Bank, in trust for the prisoner, and it shall be paid to him on his discharge, with any interest that may have accrued. Upon the latter clause of the prisoner he shall sign a declaration of the documentary to which the prisoner may belong and shall consult the wishes of the prisoner as to any property found being disposed of, and in the event of the prisoner having left at once report to the Inspector of Prisons in writing, giving particulars as to name, residence, cause from discharge of their names of discharge, etc., and when practicable, shall obtain the correct residence of the deceased, and shall record the facts in his Journal. In the event of the decease of a prisoner he shall forthwith give information to the Inspector of Prisons, and to the Chief Constable of the City and neighbouring towns, giving a description of his person. Before any prisoner is discharged he shall ascertain from the remembrance of relatives or friends, whether or what they shall do what time he will be released, that they may have an opportunity of providing him money to procure a passage to his home. Passage money, as authorised to be returned by the Warden, who will cause a ticket to be purchased for the journey and have also placed on the ends of the various stages in question. In case of a prisoner refusing any tender of money for travelling home, the Warden may recommend to the Inspector that a ticket shall be procured for him and, if granted he shall be placed on the train by an officer of the prison.

Prisoners' Property.

32. The Warden shall cause to be kept the following books viz.:—

(1.) The Prison Register containing the name and descriptive details relating to the prisoner, nature of offence term of sentence, &c. &c.

(2.) The Punishment Book, showing the nature of offence and extent of Punishment awarded.

(3.) The daily Journal of occurrences at the Prison, with any remarks he may think called for regarding them.

(4.) The Warden's Order Book: a record of orders issued from time to time must be entered.

(5.) The Reference Book, in which must be entered all matter more substantial for decision to the Inspector of Prisons, with a margin for reports.

(6.) The Governor's Minute Book.

(7.) Prisoners' Letters Book.

(8.) The Prisoners' Labour Distribution Book.

(9.) Officers' Movement Book.

(10.) Prisoners' Visiting Book.

Returns.

33. The Warden shall make the following returns to the Inspector of Prisons, viz:—

(1.) A weekly return, showing the movements of prisoners in the course for the preceding week, with distribution on bank, showing comparison at close of month.

(2.) A quarterly return of all punishments inflicted, and for what offence.

(3.) A quarterly return of clothing, &c. issued to prisoners, showing the condition of that which is in use.

(4.) A quarterly return, show ng the work performed in the prison workshops for the preceding three months, with value of material, &c., and, all value of stock remaining.

(6.) An Annual Report for the year ending 30th September showing the operations of the prison for the year and containing the following tables:

Table showing movements of prisoners during the year
Remarks upon working of the prison
Distribution of prisoners on 30th September
Nationality and religion of prisoners.
Penal sanctions and labour of prisoners.
Education of prisoners.
Ages of prisoners.
Terms of sentences.
Casting from whence committed.
Offences for which committed.
Conspiracy, prisoners so committed.

III.

ACCOUNTANT.

24. Subject to the control and authority of the Inspector the Accountant shall act as Financial Agent of the Prison, and shall have general superintendence and charge of its financial affairs.

25. He shall purchase and pay for all supplies and stores for every department of the prison, when authorised by the Inspector to do so, and as bills for the same, or the pay invoice countersigned, with any rebate, shall be sent to/next, his knowledge not without having been first examined by and certified approved by the Warden.

26. He shall keep the accounts of the prison, and prepare monthly statements of the receipts and expenditure thereof, which shall be sent to the Inspector for audit, to be forwarded by him to the Treasurer of the Province for payment.

27. He shall under no circumstances pay a pay-bank of every account paid by the prison, and shall accurately analyse the same under proper heads of service, on the Journalising side in his own cash-book in the Petty Ledger every month, immediately after the accounts have been audited, and shall then make out a statement of the expenditure so analysed, to be laid before the Inspector and the Warden, showing the balance remaining on the appropriations for the year's estimates on each heading.

28. He shall examine and check all invoices, and when the Storekeeper shall check all goods by the measure, and shall ascertain all quantities are marked in the stock book, and that the quantities of goods received agree with those charged in the invoice, and shall procure the signature of the Storekeeper to the invoice as "received and entered," before forwarding the same for payment.

29. He shall, from time to time, check the Stock Book with the "Issue Book," and see that all quantities issued are in accordance with the quantities in the stock book, and that all/our books are properly and neatly kept.

30. He shall be held responsible that no quantities of supplies in store are adequate for the requirements of the prison, and shall, from time to time, as requirements are made upon him by the Storekeeper, and/or approved by the Warden make purchases of the same, when authorised by the Inspector if such goods are not then in store.

31. Supplies for the prison shall, wherever practicable, be obtained by contract, which will be entered into by the Inspector of Prisons. The Accountant shall take care to give timely notice of the expiration of every contract, so that a new one may be entered into. It shall be the special duty of the Accountant to see that all contracts made for supplies are faithfully executed, that the articles are strictly of the quality specified in the contracts, and delivered at the time or times required. Especially as to reference to articles of food he shall take care that if any part is unwholesome, or not fully according to the specifications of the contract, he shall cause it to be at once taken away by the Storekeeper, and if the Contractor does not immediately replace it according to contract, he shall cause a quantity sufficient to replace it to be purchased forthwith in the market, the price of which shall be charged in the Accountant's books against the Contractor

32. If any doubts arise as to the fitness of any article of food, he shall, together with the Warden and the Surgeon, decide whether the same shall be received or rejected.

33. In order that a strict system of economy may be observed, the Accountant is enjoined to make such inspection and inquiry into the expenditure under each head, that he may be satisfied that the expenditure is legitimate, that the appropriation for each service is not exceeded, or that there has been no apparent waste of necessary in the use of that which has been expended.

34. He shall receive from the Warden, weekly, the bare books of the various shop goods, which he shall see are properly entered in the manner prescribed in the notice of leaving certain prices blank; and when answered and found to be correct, he shall charge in the books kept for that purpose, the amount of convict labour furnished to Contractors under the terms of their contract.

35. He shall also keep a book provided for that purpose, a record of prisoners' labour employed upon any alterations, repairs, or additions to any of the buildings, works, machinery, drains, yards, grounds, or property of the prison, or any prison labour expended on the farm or garden, and to the various branches of the domestic and distributive services of the prison; such statement of prisoners' labour to be made up weekly and certified by the Warden, so that the proper value of prison labour may be ascertained and preserved.

36. He shall receive from the Warden from time to time, lists of prisoners, their ages, and previous occupations, in order to enable him to make tenders of their labour to the Contractors. He will note on a book to be kept for that purpose, the number known, and duties of each trade, and he shall furnish to the contractors all materials and instruments called for by any existing contract.

37. He shall inspect at his office regularly from 8 a.m. until 9 p.m. in summer from 10 a.m. until 4 p.m. in winter, and at such other hours as may be necessary for him to transact the business of work.

38. He shall prepare and make out the following statements for the office of Inspector of Prisons :—

(1) Statement of expenditure (monthly) in detail, to accompany monthly accounts, by the 18th of each month.

(2) Statement of revenue and expenditure (monthly) to accompany vouchers of receipt.

(3) Statement of labour, account as furnished to Contractors (monthly.)

(4) Statement of actual revenue (monthly), to the 18 h of each month.

(5) Requisitions for supplies (quarterly), and stock list of articles in store, on the 1st January, 1st April, 1st July and 1st October in each year.

(6) Abstract from stock and issue book showing items of clothing by wear and tear during half year.

(7.) Inventory of prison property (yearly) on the 1st January.

39. He shall also prepare a statement of expenditure for the year ending 30th September together with

a. A statement of labour account furnished to Contractors for the year ending 30th September.

b. A statement of annual revenue for the year ending 30th September. These state ments must be in the Inspector's office by the 25th December.

40. He will also prepare similar statements for the year ending 31st December which must be in the Inspector's office by the 25th December as no payments can be made from the Treasury Department after that date. On furnishing this statement he will deliver his books for the year

IV

Surgeon

41. The Surgeon shall visit the Prison at least once a day, not later than 8 a.m., and oftener if required he shall have the general charge of the health of the prisoners, and the officers and employees of the Prison, conduct upon the prisoners, and shall be responsible for the professional treatment of those who require such treatment.

43. He shall see every prisoner as soon after his admission as practicable, and he shall see that the weight of each prisoner is recorded on being received into the prison, shall carefully examine him as to the lameness or sickness of his members, the primary or sufficient cause of the same, and the general state of his health; they shall keep daily records. He shall also see seldom from time to time the mental qualities of prisoners.

45. He shall visit such prisoners as from the different causes may require, and at least once in every month in all or one every room and cell in the prison, and see every prisoner. He is responsible in the cases of his malicious neglect or omission, for discovering whether there is any cause of disease in appearance especially from the following, viz. want of cleanliness, either in the person of the prisoners, or in their clothing or bedding, insufficient supply of food or water, unwholesome quality of food or water want of warmth, either from the coldness of the air, or from the insufficiency of the clothing or bedding want of ventilation, improper use of medicines, improper insufficient exercise, or too little open air.

44. Whenever he discovers any cause of sickness he must give immediate information of it to the Warden, and if the evil be not remedied immediately it shall be his duty to communicate his fear in writing to the Inspector of Prisons.

45. The Surgeon shall keep a book to be called the "Medical Register," also a book to be called the "Surgeon's Minute Book," both of which shall be open to inspection as the Warden and Inspector. He shall enter in the Medical Register the name of every case of illness which is sufficient to prevent a prisoner from working, giving the date of commencement of such illness, the name of the prisoner, the complaint of which he died, the manner was treated in the hospital or in the cell of such treatment, and the particulars of any change that may have taken place, and the final result of the case, whether by death and the causes of the same. In his "Minute Book" he shall record daily by the information of the Warden and the Hospital Guard, opposite the name of the prisoner requiring medical treatment, his orders for such prisoner [illegible] [illegible] [illegible]

V.

STOREKEEPER.

41. The Storekeeper shall take charge of the stores and conveniences of the Prison, subject to the supervision of the Accountant, and he shall be held responsible for the deficiency of the goods committed to his care, and for the order and cleanness of the store-room.

42. He shall see that every article of clothing and bedding and all general stores that will admit of it, are properly marked with the prison stamp, as soon as they are received into the store, and before they are issued for service.

43. He shall keep the following books:—A book to be called the "Stock Book," in which a separate account shall be opened for every article of food, clothing, bedding, furniture, fuel and other property belonging to the Prison, for the use and purposes of the Central Prison, showing on the debit side of the account, in weight, quantity, or measure, every such article received into store for prison use, and crediting monthly all issued for the same for consumption and use; a book to be known as the Issue Book, in which shall be entered daily, the weight, quantity, &c., of all stores or supplies issued for consumption or use, and which shall be made up monthly, and entered on the fourth page of the Stock Book.

44. A book to be called the Labour Book, in which shall be entered weekly in detail the particulars and supplies used for preserving the prisoners, showing the entire cost of the whole for the week, and the average daily and weekly cost per prisoner, also giving the same information in respect to the gratuity money upon every discharge which may be prepared and handed to the Accountant at the end of each week, and be transmitted to the Inspector, and a book for the Diet Roll.

45. The Storekeeper shall make requisitions upon the Accountant for all provisions, stores and supplies for the use of the prison and prisoners, such requisitions to be furnished, if required, and signed as sanctioned by the Warden.

46. The Storekeeper shall receive such provisions, stores and supplies as may enter of the prison, and at once enter on the Warden shall compare, upon such officer presenting a requisition for the same, signed and sanctioned "Approved," by the Warden.

47. He shall issue the Accountant on the last day in the month of his returns, and in the presence of the monthly accounts, and shall receive such other appliances as the Accountant on the forms above detailed with them. He shall also perform such other duties as may be assigned to him by the Inspector of Prisons and Warden from time to time.

48. He will reside at the Bourse's office during office hours in the absence of the Bourse.

VI.

OTHER HEADS.

49. The Chief Turnkey shall preside upon the premises, and under direction of the Warden, take principal charge of the premises day and night, and shall see that all the duties by officers and employees faithfully perform the duties assigned to them by the rules and regulations, and the Warden's order book.

50. He shall be present at the opening and closing of the gates, keeping a record of the reception and discharge of prisoners, inspect the prisoners at closing and see that all is in good order

51. He shall report to the Warden every morning, the names of prisoners reporting themselves sick, stating when in their complaint. He shall take the medical officer to see the sick or complaining in the cells or hospital.

52. He shall prepare requisitions upon the storekeeper for such articles of stores as may be wanted confining his requisitions to that which is necessary, and preventing all waste and extravagance required form, but such requisitions must be carefully approved by the Warden before the stores can be drawn.

53. He shall every day cause to be examined the blankets, beds, furniture, locks, doors, and walls generally and see that they are not injured and that no attempt at escape has been

made and that no implements are concealed. Whenever he observes anything wrong, he shall report the same to the Warder.

64. He shall spend his whole day in general supervision of the disciplinary officers and employees, and shall direct them in their respective duties. He shall receive reports from such officers and employees of all cases of disobedience or violation of rules, and shall report the same to the Warden—attending before the Warden on his disposal of offending prisoners. In the absence of the Warden, the Chief Guard shall have the Warden's powers and authority to fine or restrict in discipline, &c., and shall be obeyed and respected accordingly.

65. He shall be attentive in the inspection of the guards when coming on duty, especially the watch-guards and their arms.

66. He shall see that every precaution is taken that the whole establishment exhibits thorough neatness, good order, and cleanliness.

67. He shall at all times have a strict supervision over the internal affairs of the prisons, and especially of the parties; and he shall be responsible to the Warden that the orders are duly strictly obeyed, and by him and the Chief Guard rests the present day and night, that no male be able during the evening and night to enter any of the female wards, unless the duty are explained, and that the officers in the guard room are correct, and the guard room quiet, reporting anything extraordinary to the Warden.

68. He shall occasionally confer with the prisons.

69. He shall visit the hospital wards at the hour frequently and see that the prisoners are kept cleanly in their ward. He shall diligently observe the behaviour of the officers and prisoners, see that they strictly adhere to orders, and shall immediately report to the Warden any neglect or misconduct that may come to his knowledge.

70. He shall see that all the officers are fully instructed in their particular duties.

71. He shall see that all prisoners are delivered up to him every morning, at the time the evening ceases, and that they are severally inspected after the night, before such regulation as may be prescribed by the Warden.

72. He shall deliver to the next daily a return of actions reported the following day, and transmit those of the preceding day with the usual number of prisoners. He shall notify the Storekeeper of any changes in the guards' arms, and shall see that no arms or clothing be issued to a prisoner without the authority of the Warden.

73. He shall keep a watch-book. [illegible] to remind him daily [illegible] or [illegible] and special occurrences.

74. He shall see that the books and registers in the Warden's office are properly kept.

75. It shall be his duty to act as example of orderly conduct as it accords to the officers under him. The practice of frequenting public houses and irregular hours of meals are void, and of drinking it shall be a punishable, and is established to keep the efficiency and respectable [illegible] of the officers of the Guard. Parties, that the Chief Guard shall keep under the notice of the Warden, may observe the admonition that before he be [illegible] he shall be [illegible] with [illegible] of [illegible] of [illegible] of

VII.

Deputy Chief Gaoler.

90. He shall reside in the prison. He shall assist the Chief Gaoler in the general superintendence of the officers and prisoners, &c., in the execution of his duties.

91. He shall be constantly patrolling and visiting the wards, passages, reporting to the Chief Gaoler any infraction of discipline, neglect or destruction of duty that may come under his notice.

92. He shall, whenever required, take the place of any Sleep Guard who may be absent.

93. He shall see that all prisoners on arrival are thoroughly cleansed, their hand removed, and their hair cut short, and that they are supplied with a suit of prison uniform.

94. He shall also personally superintend the bathing of prisoners at the stated periods.

95. He shall inspect every cell in the prison, and see that they are well aired, and have free entrance, and shall see that the glass shutters taken from prisoners on their arrival are properly cleaned, replaced if necessary, and then properly fixed up in a handy, standard, and yet easy manner—neither more nor less, for safe keeping, to be restored to them when discharged.

96. He shall personally superintend the discharge of drunk by prisoners in the day-time, this charge is invariably to take place in the "Drying Room," and the deputy shall see that every article of prison clothing is taken and delivered over to the Storekeeper.

97. He shall see no stone is commenced to be cut by the Chief Gaoler for the information of the Warden, every circumstance which may come to his knowledge affecting the order and health of the prisoners, and the efficiency of the officers, or in any other way respecting the Warden's situation.

98. He shall pay particular attention to prisoners confined in the dark cells for punishment.

99. If under any circumstances, the Warden and Chief Gaoler are both absent, the charge of the prison shall devolve upon the Deputy Chief Gaoler.

100. The rule of silence to be observed, and example to be set by the Chief Gaoler, apply also to the Deputy Chief Gaoler.

VIII.

Matron.

91. The Prison Matron shall be attached to the Central Prison for purposes of pay but shall be considered as an Officer of the Separate Establishment. She shall, however be amenable in all general rules for the guidance of officials of the prison while within its walls, and when not otherwise employed, shall do such duties as may be assigned to her by the Inspector of Prisons, in connection with the service of the Local Prisons.

92. She shall be responsible for the safe custody, use and transfer of all prisoners' clothing. Cause to the Central Prison, and shall furnish such returns, and prepare such transfer papers as may be necessary for the purposes of the prison.

93. She shall account for the expenditure of all articles entrusted to her charge, and shall keep a monthly statement of expenses incurred for the transfer of prisoners.

94. She shall be responsible that the conveyance of prisoners and valuables found on the persons of prisoners, when committed to gaol, until the case being tried, over to the Warden of the Prison, and receive his proper receipt.

95. She shall perform such other duties as may be assigned to her by the Inspector of Prisons, under the provisions of Sec. 1 Chp. 24 36th Victoria.

IX.

Engineer.

96. The Engineer shall have general charge of all fittings and machines connected with the supply of water, gas, steam, &c., as of the engine of boilers, boilers, &c. He shall also be responsible for the serviceable state of the fire hose and hydrants, engines, boilers, &c.

97. He shall keep accounts of all consumption of coal, wood, gas, &c., connected with his department, and use every exertion to promote economy in these particulars.

88. He shall make each daily or other reports, and keep such records connected with his Department as shall be required by the Inspector of Prisons. He shall attend to the steam boilers, engines, fires &c., during the period of duty, and see that the machinery is kept clean and in good order.

89. He shall attend with the other guards, every evening at the "evening search," ascertaining for the safety of the prisoners under his charge; he shall not leave the premises until the written arrival of the Night Gaoler, upon the evening search being found correct, and see his being entered by the Night Gaoler, Yard Head Turnkey and Registrar.

100. He shall not absent himself from the Prison during his hours of duty without leave from the Warden.

X.

Cook and Baker.

101. The Cook and Baker shall superintend the cooking and baking for the whole prison, including the prisoners' and guards' meals, and shall be held responsible for the proper cooking of the food, and for the cleanliness of the kitchen and bakery, the copper and all utensils in use in his department.

102. He shall board and lodge upon the prison premises, and not absent himself therefrom without permission of the Warden.

103. He shall take inspection upon the Storekeeper which are to be signed by the Chief Guard, and countersigned by the Warden, and delivered by the Chief Guard to the Storekeeper, for the supply of rations for the use of the prisoners and the guards' meals. A certain fixed sum daily shall be set apart by the Warden for the delivery and receipt of stores to each from the storekeeper's department, for the kitchen and other parts of the Prison proper, after which the communication between these departments shall be closed, except for special circumstances.

104. He shall every morning receive from the Chief Guard a list of the number of prisoners to be cooked, and shall keep such as secret as the number of prisoners, and the quantity of food received into the kitchen as may be required of him, by the Warden.

105. He shall be exact in measuring or weighing the rations to be served out to the prisoners and guards' meals at each meal, and it shall be his duty to see that the economy is observed in the management thereof, and that no waste takes place in the preparation and so much in the Chief Guard, for if such

106. He shall not allow any person to enter the pantry of the kitchen or food

107. He shall not allow any prisoner to be in the kitchen unless authorized by the Warden. He shall be responsible for the good conduct and obedience to proper rules and discipline of all prisoners employed under his charge, and he shall immediately report to the Chief Guard any infringement of the prison rules and regulations, on the part of the prisoners detailed at his shift, such as unnecessary talking, wasting or stealing, and it will be his duty of the Chief Guard and Deputy Chief Guard to visit the kitchen and cooking apparatus frequently during their time of duty to see that the rules are enforced.

107. The Cook shall conform to the rules and regulations of the prison and such orders and regulations as shall be issued from time to time in the same manner as any other guard, and account personally for the number of his meals to the Chief Guard at the evening search.

108. He, together with the prisoners comprising his staff, shall confine himself wholly to those departments which are placed under his superintendence by the prison proper vis., the kitchen and bakehouse.

109. All prisoners kept exclusively in his charge during the day shall be delivered up to the Chief Guard at the evening count.

110. The Chief Guard, in the Deputy will always attend at any hour named by the Warden, for the purpose of opening the gates or doors to which the Cook or his staff shall have access.

111. The Cook shall look up and keep out of the prisoners' reach food of any description, such as that which goes down to the kitchen from the Guards' room, &c. which they

night otherwise be excused to take and he is on no account to s[illegible] anything food beyond that proper allowance and quality.

XI.

Prison Fare Night Guard and Bedding

143 He shall answer duty at the evening, morn, and shall patrol in and about each yard of this prison yard and its hallways, and during such hours as the Warden may direct. He shall vigilantly watch the premises through the night. He shall note down in The Night Patrol Book Each [illegible] Warden's information the precise names of any Irregular or extraordinary occurrences during the night.

144 In case of fire or other emergency he will instantly communicate with the Night Guardian thereof, they in their turn rousing the guard upon officers. He must attend to the orphan, holders and fires during the night time, keeping a record during the winter months of the register of heat, as shown by the thermometers in the corridors. He shall observe the economy in the consumption of fuel and gas.

XII.

Hospital Stores.

154 He shall reside upon the premises, and not leave them without the permission of the Warden.

157 He shall attend the sick under the direction of the Prison Surgeon, and shall assist in preparing and dispensing the medicines ordered by the medical officer and see that the medicines so ordered are taken by the patients at the proper hour, and that the diet ordered by the surgeon is given and properly cooked in a book.

158 He shall see the cooking-tub every morning before the prisoners are sent to work, because him in readiness for the visit of the surgeon.

159 He shall in no manner suffer his private books to be in the possession of any other person, or by them carelessly shown, or should any stranger into the hospital without obtaining the Warden's authority.

160 He shall keep the hospital books properly filled up according to order. He shall be particular in calling the surgeon's attention to any case that may require instant attention.

161 All orders for the removal of prisoners from the cells to the hospital must be signed by the Surgeon; also those returning prisoners from the hospital, and those orders are to be registered in a book in the form for this purpose, termed the Hospital Guard Book.

170. He shall see that the prisoners in the hospital are clean in their persons, and wash themselves properly, and that every prisoner has clean shirts at least once a fortnight, and that these shirts at exchange are changed every Saturday morning.

171 He must be particular as to the number of articles sent from the hospital to the wash and take an inventory of the same, and then there are no deficiencies on their return.

172. He shall be particular in enforcing cleanliness in my part of the hospital. He shall keep such lights burning during the night as the Warden or Surgeon may direct.

177 He shall keep a report book, in which he shall daily report to the Warden and Surgeon all occurrences of importance in the hospital such as want of repairs, the unsatisfactory state of any prisoner, any irregularity in the supply or quality of provisions, &c.

194. He shall be responsible for the safe custody of all provisions or medical comforts provided for the hospital, and of all medicines bandage necessaries, &c. committed to his charge, keeping inventories of the same, and he shall make such renewal of them as may from time to time be required.

195. He shall not issue any drugs or other articles without written directions from the medical officer except in cases of emergency. He shall not upon any pretence bring wine or spirits into the hospital for his own use or unauthorized books or papers.

196. He shall conform in all orders and regulations,

137. The Hospital Guard shall take charge of the library and once the books for the prisoners' use, and no such orders and regulations as may be issued by the Warder.

138. In the event of his from the being fully occupied in the discharge of the duties hereinbefore recited, he shall be liable to the performance of such duties as the Warder may order.

139. He shall attend the evening "roll" with the other guards.

XIV.

Special Rules for Guards.

150. Guards will under no circumstances leave the prison without permission from the Warder or Chief Guard, but hold themselves in readiness for active service, night and day.

151. The first and most important duty of a guard is at all times to maintain the safe custody of the prisoners, and should prisoners attempt to escape by force of the Prisoners justify the shooting of such, as of any persons who may be assisting in such attempt, if such safety is found necessary in order to prevent escape. Hence a reference exists, offenders should be summarily warned of the consequences before shooting is resorted to.

152. Well Guards are required to pass their beats whole on duty and still as hand, only changing the said WATCH OF THEIR BEAT AND WITHOUT ASSISTANCE.

153. Guards while on duty are strictly prohibited from reading, and from reading books, papers, letters or communications of any kind and from conversing with any person, except on the subject of their duties may require.

154. Guards must keep their arms and accoutrements clean and in perfect order, constantly ready for use, and neither eat, smoke, nor drink when in any manner Whilst on duty, nor, themselves, or damage in the arms will be charged to them, and they Persons required to pay for the same.

155. Guards on duty over prisoners must never leave their prisoner duty assigned them, until relieved by proper authority and guards, when relieved, will report at the guard-room, and reason in readiness for duty at the guard's return, will permanently dismissed.

156. The guards will receive on the part of the prisoners such civil compliance with such rules at the Prison as may come within the province of their special duties to enforce, and report all the neglect proper while manner any infraction thereof.

157. The Chief Guard and Deputy Guard are held strictly accountable for the safeguard of all arms, swords, ammunition, and everything pertaining to the Armed duties. A willing and cheerful obedience to them is expected in whatever they may direct.

158. It shall in the duty of the Night Guard in the corridors, during the night, to keep particular guard the block of cells, and upon the gallerias, with devoted vigilance, constantly that he may be able at daiess and improve any unnecessary violence of the required silence, and in a strictly enforced upon him best to refer the prisoners to speak, except to make known his wants kindly to another warder.

159. Guards are to be at all times properly shaved and dressed neat and clean in their persons, and properly equipped.

160. All Guards are to be conducted in a quiet and determined manner, and intimations to them to silence, or refrain, or engage in conversation, and the parts of the prison are strictly prohibited.

161. Discussions or disputes of any nature, as to politics or religious else, within the prison premises, are strictly prohibited, and the Chief Guard and Deputy will report to the Warder any infringement of this order that may come under their recognizance.

162. Guards are expected to be courteous and respectful towards each other never using improper language, and always addressing a proper and respectable deportment, and they are to abstain from the expression of any political or religious nature, embodied in give offence.

163. Guards will be respectful in their manners, and courteous in their language to all officials, or strangers, visiting the prison under the proper authority

164. Lights are to be out in the guard-room at 9 p.m. at which hour all officers and non-prison questions in the prison are supposed to be present, except any who may be specially questioned as extension of time for the evening.

145. Swords, when off duty will not be permitted to wear their uniform, but will wear plain clothes.

146. The uniform clothing is to be kept in good repair at the Guard's own expense, except when worn in the execution of duty. The uniform is not to be the property of the Guard, at any time, but is merely for the official use whilst an officer of the Central Police.

147. Swords are directed not to use as cause of conversation at any time and in any place, the incidents occurring in the performance of their several duties, in regard to the police or prisoners, or their own or others' spheres of duty in the prison.

148. Visitors to the Central Prison must enter and depart through the south entrance of the centre building and it has been thought the prison must conduct themselves in a quiet and orderly manner. Loud talking laughing, and general disposition of prisoners by pointing or otherwise, are strictly prohibited.

149. The guards shall every night (at 7 p.m. in winter, and 8 p.m., in summer), visit all the workshops, square rooms, and cellars under the prison in where they are stored during the day and secure thoroughly by any ups or underlocks or bars, and shall report as the Warder and Chief Guard, the night report of the same and keep the keys in their custody. These officers are not to handle, touch or disturb any of the tools or machinery or other property of the contractors.

150 Guards are constantly to keep in mind that it is required of them to prevent any prisoner making his escape at ALL HAZARDS.

151. All guards are constantly to carefully scan their beats and pickets outside their limits.

152. Guards under ill shall immediately report themselves to the Chief Guard, who will send them to the Surgeon and ascertain the cause of their illness and report same in the Warden.

153. On guards being taken ill off duty, and unable to report themselves at central for duty they shall forthwith without delay a written report to that effect to the Chief Guard, the latter sending the report on the Medical Officer: he shall attend the Guard's residence and report his case to the Warden.

154. The Corridor Night Guards shall be armed.

155. It shall be the duty of each Corridor Night Guard, in conformity on its coming on duty as carefully examine the door of each cell and see that it is secure and so tampered with. The guard leaves leading from the guard-room and along-side into the corridors, are to be closed and locked on the night guards mount on duty.

156. The night guards are ordered to assemble and attend every gallery as their respective corridors commonly. The patrolling of a gallery means not simply walking along it, but making sleep assuredly sleep observing that all doors are present, flagging frequently and turning on the gas of any room, cell or gallery have any appearance of attempting to escape before going downstairs. Upon inspection of the cell doors on a night guard coming on duty he shall see that a prisoner is in the cell, reporting himself that such is the case or send heavy person.

157 A book shall be kept on each corridor during the night-time, to be kept-out. The Night Patrol Report Book in which the night guards shall register the moments that occur during their period of night duty the time they mount and the time they are relieved, the hours that they are warned, and the degree of heat every two hours as registered by the thermometer. These books to be laid in the Warden's office for his inspection every morning by the Chief Guard.

158. The "call-tale" clock is to be checked by the night guard every hour and every time the clock is checked, the guards shall proceed to the distant-call guard rules, which from each other and work until they see each other, and signal all right as otherwise. In the event of a guard not appearing and signalling either for surveyor in the manner time, the guard watching shall instantly repair to the guard room, secure the clothes and procure the keys. Should the guard not surveying in case he might be accused for his absence satisfactorily it shall constitute a breach of prison discipline, and shall be treated accordingly and he guard is dismissed by an escaped prisoner the escape will by the observance of this rule, be soon discovered.

159. All property in the possession of prisoners on their arrival at the Central Prison, shall be registered in a book kept for that purpose at the time their description is registered, commencing with the prisoner's No. and name, the description of property, and lastly the

condition of their election, specifying whether in good condition or the contrary; this to be signed by the governor, and witnessed by the Registering Prison Officer. Prisoners are on no account to be placed in cells without being examined and properly registered; their boots shall be invariably removed.

136. The cell guards are not to leave their posts from the hour of answering, until the evening signal is sounded for lights out; their cell-day means will be served to them in the corners, and extra rations in reputation of the cell guards during the prisoners' dinner hour. The cell guards are required to be vigilant and on the alert, and they are never to keep beside the doors in close fiends in by stress of weather, when they must keep a sharp look-out through the windows of the towers. The cell guards are to be reminded that they both the key to the safety of the officers and security of the prisoners; it is therefore essential that their attention should be constantly kept the notion of prisoners within their view, and especially those near the door of the cells.

137. The Guards and employees of the prison shall be particular in keeping their watches by the time of the guard-room clock, so that small matters may shall be shaped and decided in 30 pm., according to prison time, and not opened for the admission of any official other than here.

138. No person will be admitted into the prison after 6 p.m., and after 8 p.m. no footstep, and no person shall have admittance to Sundays, Christmas excepted, unless accompanied by the Inspector of Prisons, or Governor, or Assistant at all times.

139. No person shall be admitted without a pass, previously countersigned by the Chief Warder or Deputy Chief Warder.

140. The north entrance gates, under building, are to be only used for admission of persons for prisons use.

141. In the event of no officer being suspended or dismissed, he shall not be permitted to enter the prison premises.

XIV.

Duties for Shop Guards.

142. Shop Guards shall under no circumstances leave the prison without permission, but must hold themselves in readiness for active service from day and night.

143. Shop Guards are required to be present at the Cell Rooms at the appointed hour in the morning, to receive their respective gangs, and from that time until the prisoners are again locked in their cells they shall hold themselves responsible for the conduct and safe custody of their entire gang.

144. No visitors to the Cell Rooms shall be allowed except provided limited from those of Foremen for Contractors, or the Governor, or such interpreters who attempt to instruct the prisoners in the manner in which they shall work or on what particular part they shall labour; or on what manner of work they shall perform: but they shall listen to all reports the foreman may desire to make, and dispose of the cases as they may have been instructed.

145. It is forbidden that the Guards understand that their means in controlling prisoners depends very much on their own deportment, and a sharp and close observation of all that occurs around them.

146. Shop Guards will require on the part of the prisoners strict compliance with such rules of the Institution as may arise without the prisoners offering special duties to enforce, and report at the earliest practicable moment any infraction thereof.

147. All Guards while on duty are strictly prohibited from smoking and from reading books, papers, letters, or writing themselves of any kind; and from conversing with any person, except on the matters of their duties may require.

148. Shop Guards in charge of messmen at work, shall not allow their prisoners to make any conversation relative to any subjects not immediately connected with their duty employment or trade, or to speak or hold any conversation with each other or to those that work without permission, or to speak to or gaze at visitors, but shall see that they are constantly employed and that they labour diligently in order and in silence.

XV

Prison Gate Guard.

172 The Gate Guard shall allow no man to pass unaccompanied by the Inspector of Prisons, the Warder or Chief Guard to pass in or out of the prison yard, except such persons whose names shall be placed from time to time upon a list signed by the Warder and in possession of the Prison Gate Guard and persons being at such times engaged in the performance of their duties as officers or employees in connection with the prison works, except any person in possession of a pass in writing, signed by the Inspector of Prisons, the Warder or Chief Guard, as it he will take up all persons in the holder leaves the yard, and passes them duly to the Warder's office. He will withdraw all tools passing in and out, and see that nothing is concealed.

174. He shall keep a charge of the keys of the gate and shall unlock it in the morning for the admittance of the officers and employees, and such persons who are so licensed to enter, and lock them for the night at such hour as the Warden shall from time to time direct. He shall not leave his post from the time he receives the keys to the keys of safety.

175. The Gate Guard shall not allow any officer or employee attached to the prison to pass through the gate during the hours of duty without the authority of the Warder.

176. The Gate shall keep a list of all employees residing in the prison who shall go out on leave, in order to insure their return at the proper time.

177. In case of death or in an order for admittance into the prison being genuine in property obtained, the Gate Guard shall apply to the Warder or Chief Guard, before allowing admittance, he shall be satisfied in person, and cause, and he shall be satisfied in person, and cause, and he shall be satisfied in person, and cause, and

the the government of the prison, any malfeasance or departure from which rule shall debar them from future remissions with the prisoners.

187. Employers will be required to pay for the wilful or careless destruction, loss, waste, or damage by them, of any property of the prison.

188. Employers are prohibited from using profane, indecent, obscene or insulting language towards prisoners and it is especially forbidden that they should use to them in that sense the use of such language is or about the prison.

189. All employers are prohibited from discussing within the limits of the prison, the manner in which any officer or employee performs his duty, and from making any remarks which might tend to reflect upon the character or management of such officer or employee. They are also prohibited from discussing in the presence of prisoners, matters relating to the discipline or management of this or other similar institutions.

190. Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating drinks in or about the prison. Intemperate and unsafe conduct will subject to re-conviction.

191 Employers will receive from visiting the shops or yard while off duty, and from receiving visiting from friends without permission.

192. Employers are prohibited from replying in the terms to what they may consider to be impertinent or insulting language on the part of a prisoner. They will report such infraction of discipline.

193. Employers are prohibited from engaging in card-out of the prison except when official duties render it necessary for them to do so.

194. Employers are strictly prohibited at all times from receiving inside the cells or cells-houses.

195. No officer or employee shall directly or indirectly have any interest in any contract or agreement with reference to any matter relating to the prison, nor shall he receive directly or indirectly, under any pretence whatsoever any fee or gratuity, or present from any contractor or person soliciting for supplies, or from any purchaser on prisoner's account any favor any person visiting the prison.

196. All smuggling and clandestine trade system of duty incurred the officers of the prison are strictly prohibited, provision of this kind must be conducted under proper control of the Warden, and all even publicly rendered in writing to keep such exceptions must be rendered within twelve hours of the occurrence complained of, or it will not be received, and if it should be found that this complaint was false or vexatious, the person making it may be punished or compelled, the complaint will render himself liable to the loss of Officers and employees having any grievance connected with their duties must state the same to working for the Warden a memorandum.

197 Every officer or employee who shall receive any bribe, or any money, or valuable thing to bring in or carry out or knowingly allow to be brought in or carried out, as in from any prisoner any money clothing, provisions, tobacco, letters, papers, or other articles whatsoever, shall be at once dismissed and criminally prosecuted.

198. Any officer or employee who has been found guilty of an act of negligence, carelessness or incompetence, will be punished by the Inspector of Prisons, and may be suspended to impose a money fine, proportionate to the gravity of the offence, upon such officer or employee.

199. Any employee of the prison obtaining leave of absence shall leave the prison premises at the appointed hour, and shall not return to the premises of the prison for two hours should he return before, he shall be considered on duty from the time he returns.

200 All prisoners on their arrival at the Cox rel Prison shall be handed over to the Receiving Officer detailed for that duty, and he by him marched to the Bathing Room. They will then be stripped and washed, during which process all bodily marks are to be recorded the whole of the clothing worn by them, removed, and a prison suit furnished them, and next it to be taken that no opportunity is afforded to the prisoner to convey any article into his cell. Prisoners on survey taken from the prisoner are to be handed over to the Chief Guard, who shall register the same in the Prisoner's Property Book. the record to be read over to the prisoner who shall sign to the same, and his signature is to be witnessed by the Receiving Officer a register of the clothing shall also be entered specify as whether it is in good condition or otherwise. After washing, the prisoner shall be examined by the Prison Surgeon. Any prisoner being found medically unfit for the prison labour is to be immediately re-

ported, in writing, by the Prison Surgeon to the Warden, to order that the punishment may be forwarded by him to the Inspector of Prisons. The prisoner's hair is to be cut short and his face shaved. Previous to his being marched to his cell, the prisoner's dress is to be taken off and examined in the "Entrance Examination Book." All property taken from any prisoner shall be made up in separate and distinct parcels with the name of the prisoner to whom the property belongs. After prisoners are received, as above, the cells, including the day portion of prisoners' clothing, their treatment, and diet which allocate the prisoner as to his present and future conduct shall be read over to him by the Chief Gaoler.

291. The Guard Roots is for the assistance and the discipline officers of the prison. In accordance of no unnecessary discharge by the Governor, the Chief Guard's Roots, the Deputy Chief Guard's and the Guard's Meal Room. Silence and discretion shall be preserved in the Guard Room. Swearing in a loud tone of voice is strictly forbidden.

XVII.

REMOVAL OF DIET.

292. All Guards will parade and report themselves daily for duty to the Chief Guard at a quarter to six o'clock in the morning.

293. At a signal from the Chief Guard, the Hour Guards will take their keys and proceed to their respective galleries and unlock the cells. The other Guards taking up each post there in the corridors as the Chief Guard may direct, when, by their presence and watchfulness, they shall endeavour to prevent any communications between the prisoners, and other improper conduct on their part.

294. As the next signal the prisoners shall all open out of their cells, and move off in single file down stairs to the ground floor, where they will form up in reference to galleries. On their return to their cells, each prisoner will take up his breakfast ration and proceed to his cell and stand with his tin and can on the gate. On the first form or sounded, he will then step inside, closing the door up to six feet, but not locking it. On the second form signal all doors shall be pulled home, and the inside immediately by us, the Solitary Guards remaining in their posts until the first is done. The prisoners will then form in line, and report to the Chief Guard that their respective galleries are correct or otherwise.

295. If the number is correct, the Chief Guard will order the prisoners will break off and go to their breakfast, with the exception of one who will remain to patrol the corridors.

296. At 8.45, a.m. each working day the guards will again assemble, and on a signal from the Chief Guard will unlock their cells as before, form their prisoners in line, and march them with their eight buckets to the "Slopping shed" returning to the same parade ground, opposite the dining hall door where they will form up in column of galleries, ready to be formed into working parties, under the personal supervision of the Chief Guard.

297. Prisoners shall not cease at their work until the whistle sounds at 12 o'clock noon, when the gangs will be dismissed by the Chief Guards, and take charge of their dinners, in the order in which they are arranged in their cells, and be marched into the dining hall, each guard getting his "Bread and" waiting in the Chief Guard's day room until all are in. The prisoners will remain standing until the gang sounds when they will take their seats and proceed with their dinners. Half the gaoler will then proceed to dinner for which twenty minutes shall be allowed, after which they shall relieve the other half. At two minutes to 1 o'clock the prisoners will be moved out to their respective shops, each gang rising on a signal from its guard, who will hold up his right hand, and then march off his guard to their work of command.

298. At the 1 o'clock whistle to "mess work" the gangs will again form up as close as is necessary and be marched by the bucket stand when used, prisoner will take up his right bucket, he'll carry it on his left arm, using his right hand to take up his evening meal, and proceed to his cell, place the bucket and proper utensils, and stand facing his cell as in the morning, the first and second signal of the gong being always the signal for his entering and closing the cell door. He will then stand inside his cell with a right hand grasping the grated grate while the gates are being closely looked and the "counts"

are being made. The guards in double locking, shall see that each prisoner "stands to his front," with the right hand grasping the guard over the left arm.

209. The wall and gate guards will remain as these posts till the second signal whistle is sounded. Until this sounds, the security of all the prisoners is in abeyance, and should the second whistle be delayed, the wall guards will at once understand that there is a prisoner missing, and be on the alert accordingly.

210. Upon "Guard" being called previous to marching in, the gangs are to fall in outside, and well clear of their workshops, and the "Guard" is to be taken from front to rear. In marching off, the guard's place is in a line with the rear file, and whilst marching the prisoners' faces are to be turned, and inside hallowed towards the flank from the guard in on.

XVII.

Rules for Convalescent Prisoners.

213. The chief duty of the Convalescent Foreman is to instruct and direct prisoners in most particular branch of the business to which they are assigned, and to do it in a mild, but firm and dignified manner.

215. Foreman are not required for the purpose of preserving or disciplining prisoners therefore he is not necessary that they should in fear or threatening language in the discharge of their duties, and the use of such is strictly prohibited. except, of course, in case of self-defence, in defence of others, or to preserve the peace of the prison and maintain the due control of the prisoners.

215. When prisoners wilfully fail to carry out the instructions of a foreman, or use threatening, mutinous or insolent language, or commit any other act endangering the peace and good discipline of the institution, it shall be the duty of the foreman to immediately report the same to the guard in charge.

214. All foreman must be promptly at their respective shops, at least ten minutes before the hour fixed for prisoners to commence work, and will be required to remain there during working hours, and make a thorough examination of their previous prisoners before the prisoners have left, at noon and night.

216. All officers, foreman, teachers, or other employees of the Corporation who may under the regulations, be permitted to enter the Prison workshops or yard, must strictly conform to all rules and regulations laid down for the guidance of Guards or employees of the prison, and any infraction of these rules and regulations by the employees of Corporation will be promptly dealt with.

217. A copy of these rules is furnished each employee, and they are to be adhered on all occasions.

XIX

Rules for Prisoners

217 The following rules shall be observed by prisoners —

(1.) The first duty of the prisoner is strict obedience, and it will be to his interest to obey all rules and regulations.

(2.) On entering the prison strict silence must be observed. No conversation between prisoners is allowed, except by permission of the officer under whose charge they may be.

(3.) The prisoner must not speak to any visitor, give to or receive from them anything without the permission of the Warden or Chief Guard.

(4.) Prisoners must not turn the rules to their place of employment without permission. If sick, or unable to work, they must make it known to the officer in charge, and not as he may direct.

(5.) Prisoners must approach an officer in a respectful manner—always touching his cap or forehead before speaking. He must be prompt in taking his place in line, march back-step with his right hand upon the shoulder of the man in advance, unless his face toward the officer, and attend to and promptly obey his orders. Prisoners passing through the yard must walk in file never abreast.

(8.) On rousing the cells, prisoners will stand at ease, with their left hand on the door. At a given signal will step in, close the door up to the lock, keeping hold until the second signal is given, when they will close it altogether: remaining with their hand upon the door until the bar is closed and the signal is made. In case of silence, he will remain his proper time at the door until the signal is turned.

(9.) His hands keep his mat and therefore shall not be used for sleeping on. He marching on scrubbing the mats, his prisoner upon the floor will be allowed. At the sounding of the 9 o'clock gong, P. M. all prisoners must put out their lights, undress and retire.

(10.) At the sounding of the morning gong, he must turn out, dress, make up his bed neatly and be ready for marching out. At the second signal he must open the door step out, the signal must still referred to march.

(11.) No prisoner will be allowed to stare idly at visitors or strangers passing through the Prison; neither will they be allowed to make any alterations in their clothing or the fixtures of their cells.

(12.) All prisoners are required, to attend religious services on Sunday unless sick or excused by the Warden or Chief Gaoler. In Church silence must be observed. No singing will be allowed, as it often attaches undue importance to the services. Spelling is not the least stumbling of the foes, as any unnecessary noise is severely forbidden.

(13.) Loafers it may from will not be tolerated. No smoking by prisoners on allowed on the prison premises.

(14.) Prisoners will be required, while under arms a mark in manner and equal in two words in number, unless excused by the Physician, Warden, or Chief Gaoler.

(15.) Every prisoner shall have permission to write to his friends once in four weeks. In case of necessity by special permission this may be obtained from the Warden or Chief Gaoler. All letters written or received must first be examined at the office, under the direction of the Warden, before being sent or delivered. Visits from friends allowed once in eight weeks. The permission to write or to receive letters or visits from friends, or books from the library is dependent upon general good conduct, and obedience to rules.

(16.) The use of books and all reading matter may be suspended by the Warden for violation of rules.

(17.) Prisoners must apply by letter to their friends or relatives for money to take their home, it must be sent to the custody of their enemies.

(18.) Prisoners shall be required to labour diligently during those hours detailed for work, and in marching to and from their cells labour. They shall observe such order as may be directed by the Warden. they shall be required to remain in their cells three hours in a perpendicular manner, and with the greatest severity they must conduct themselves with perfect order and in strict obedience to the direction of their officer.

(17.) Each prisoner shall have a bible in his cell, a hymn book, and may take such books and books as shall be approved of, on application to him.

(18.) Punishment will be resorted to or rarely as necessary will admit the regulations of the prison are, nevertheless, to be observed and maintained inviolate and no infraction thereof, or any resistance to the lawful commands and authority of the officers, shall escape the offenders to solitary confinement, and to be placed in irons at the discretion of the Warden and the Warden is authorized to employ and punish the use of weapons by the Prison Guards, to put down insurrection by force, and to prevent escape at all hazards from the prison.

(19.) No visitor will be permitted inside the prison unless accompanied by a Prison Guard.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &c., ONTARIO.
TORONTO, 31st June, 1875.

SIR,—I have the honour to report for the information of His Honour the Lieutenant-Governor, that a prisoner named Michael Clancy escaped from the Central Prison, Toronto, on the 15th May at 11.55, a.m. by placing a plank against the rear wall of the yard, by

which means an elevated his manner. I have examined into the circumstances with this escape, and find, that if the observations that I gave, that we all knew what prisoners were on the yards, the small guards must be on duty had been strictly adhered to, the attempt to escape would in all probability never have been made. The escape therefore, is my opinion, was attributable to the fact, but the said guards were allowed to go to dinner before the prisoners were counted in the house. The Warden has forwarded me a copy of an order issued immediately after the escape took place, which if attended to, should prevent escapes in the same manner.

On the first instant, two prisoners escaped by entering the small drain running through the front grounds of the prison, whose a gang of prisoners were employed in improving and cleaning the grounds. The gang was under the supervision of five guards on the ditch.

I consider that the guards were guilty of neglect in allowing the escape in its commencement, and the Warden should not have allowed prisoners who were employed on the grounds, to have been taken into the front grounds. The names of the prisoners who thus effected their escape were Robert Parnell and Robert Woodfield, the former having an unexpired period of about five months to run, and the latter having a period of about one year and a quarter to run.

I have instructed the Warden not to take prisoners to work outside the prison walls, who have more than three months of their sentence to fill, and only then, under the most rigid supervision.

I have the honour to be, Sir
Your obedient servant,
J. W. LLOYDSTER,
Inspector

To the Honourable,
The Provincial Secretary

PROVINCIAL SECRETARY'S OFFICE, ONTARIO.
TORONTO, 17th JUNE, 1878.

SIR,—Referring to your letter of the 11th inst., with reference to certain escapes of prisoners from the Central Prison, I am to direct you to instruct an inquiry into all the particulars so as to ascertain to whose neglect any of such escapes is to be attributed. Your inquiry will be specific as such that each guards or other officials, to whom neglect is attributable, may fully understand the reason for whatever subsequent action the circumstances may call for.

I have the honour to be, Sir
Your obedient servant,
I. R. ROBARE,
Assistant Secretary.

Mr Inspector LLOYDSTER
TORONTO.

ORDER OF THE INSPECTOR OF ASYLUMS, PRISONS, &c., ONTARIO.
TORONTO, 20th JUNE, 1878.

SIR,—In obedience with instructions contained in the communication of the Provincial Secretary, of the 17th inst. I visited the Central Prison, yesterday for the purpose of making a searching enquiry into the circumstances connected with the escape of two prisoners from the Central Prison grounds, on the 31st ult. that the officers who were guilty of neglect or carelessness may be dealt with as the circumstances may direct. I

assumed, at the same time, into the circumstances connected with the escape of three prisoners named Deacon, Wylie, and Cunningham, from the field attached to the prison for garden purposes, on the 23rd inst., making five prisoners which have escaped from the fifteen grounds within three weeks, only one of whom, up to the present time has been re-captured.

The circumstances and facts connected with the escapes from the front grounds on the 23rd inst. are as follows:—About forty prisoners were selected to work in the front grounds in forming levelling and embanking. These prisoners were divided into three gangs under three regular and two supernumerary guards, as follows:—Guard William Gifford, last gang; Guard Thomas Wilson, 2nd gang; assisted by supernumerary Guard Wall, had charge of 14 prisoners, and Guard Frederick Hill, assisted by supernumerary Guard Harry Lampman had charge of 20 prisoners. The prisoners were selected by Chief Guard Beaumont, and the gangs and the guards were being generally supervised by Deputy Chief Gaoler Saunders. The duties of these guards appeared to be sufficiently well defined by the Warden, and understood by the guards, viz., that each guard was to be responsible for the safe custody of the squad under him, and in the event of any emergency all were originally to rest for the safe keeping of all the prisoners. It appeared, however, that Deputy Saunders had other duties to perform besides supervising the work referred to, and sometimes was absent from the grounds for a time.

The second duty through which the prisoners escaped is of sufficient character to admit a man, unacquainted as the Grand Jury are, to a man who was acquainted with the place 200 years, while on reading at each end.

The danger of the first, or a repetition of escape, was fully known to the Warden and the guards, and the way of guarding to prevent any such event, from the opening in the grounds in the prison where it intersected with another drain, was about to commence. The prisoners employed in these works all consisted of one class of men, and were drawn from the poor, and found servants. The gang in charge of Guard Gifford was placed at work across of the drain opening; that in charge of Guard Wilson, next; and that in charge of Guard Hill, south of the drain; and that in charge of Guard Wall, the most in charge of the main drain. The Grand Jury following upon the above statement, proceeded to enquire through the 6 and but though present was made by some of the guards, the escaped prisoners were never seen by them. What time between one and two o'clock the escaped prisoners entered the drain to endeavour. The evidence as I have stated it, after a careful consideration into all the circumstances, are —

1st. That the Warden erred in judgment—

1. In sending too great a number of prisoners out into the grounds to work:

2. In not personally examining the rolls to see that no long-date prisoners were allowed to get into the out-door gangs, instead of leaving such important work to the Chief Guard:

3. That he did not arrange to have the Chief or Deputy Chief Gaoler constantly present with such a large number of prisoners and guards

2nd. To neglect, on the part of the Warden, not having the mouth of the drain studied, as partially stopped up, when his attention was called to the danger connected with it.

3rd. To disobedience of orders on the part of supernumerary Guard Lampman who left only for a short time between one and two, without reporting or obtaining leave. This guard has since been dismissed for drunkenness.

4th. To neglect of duty on the part of Guard Frederick Hill, in not keeping a proper watch over the prisoners committed to his care: in not frequently counting them to assure himself of their presence on the gang, particularly as he was aware that the down might be used as a means of escape: and in not noticing that the wheelbarrows which the escaped prisoners had been working with were lying idle.

I have to state, that for this neglect on the part of Guard Hill, I have caused him to be suspended from duty pending your decision upon the matter now reported upon.

Respecting the escape of the three prisoners from the field attached to the prison, on the 23rd instant, I have to report as follows:—The prisoners, Wylie, Deacon, and Cunningham,

were part of a gang of nine prisoners, under the charge of Guard Mussell, who has made the following statement.—

I was the guard in charge of the garden gang, Central Prison the gang consisted of nine men. About 2.30 p.m. on the 21st June, these nine prisoners, Deeves, Cheshyllion, and Wylie, were at the further end of the one acre field engaged in planting potatoes, and I told them I should require them in about five minutes to go on with the field, in watering newly planted cabbages. I collected the rest of the gang, and sent them down to go on with watering the cabbage patch; I am nearly sure hundred yards away from the three prisoners planting the potatoes. I followed the prisoners to the cabbages, and was engaged from five to ten minutes telling them in what way to water them. I then proceeded to bring in the other three at the further patch, when I observed they were not in the field. I immediately gave the alarm, and after getting the remainder of my gang into the garden, started in pursuit. Prisoner Deeves had been working under me in the field for two months previous. I remember he was born with one arm less than normal, and was with me when I was in charge of prisoners working outside prisoner Wylie had been in the garden for a month. The locality of a piece of ground of the dimension of the potato field mentioned, and the employing of prisoners, the different kinds of vegetables requiring each daily labour in their culture.

—WM. MUSSELL,
Guard.

I am of the opinion that these three escapes were premeditated.

1st. To a certain extent in planning out the parts of the garden in allowing the prisoners to be taken out into the field to work in charge of only one guard, although armed with a pistol, for it is obvious that if eight of the nine prisoners had run away, it would have been the guard's duty to remain in charge of the only remaining one until he was relieved, or had brought him back to prison. There have been about three of the guards, one of whom should have been armed with a rifle.

2nd. For the placing of two unarmed guards as in the prisoners he had charge of by guard Mussell, as shown by his own statement, through which mistake he lost control over at least three of the prisoners employed at his case.

By their statements on the part of Guard Mussell, I have ceased him to be suspended from duty until I am further instructed. I have also instructed the Warden of the prison to make such amendments as he considers necessary to prevent future like attempts in the garden, and then only prisoners selected personally by himself and under the charge at least four than two guards, one of whom shall be armed with a loaded rifle.

I have the honour to be,
Sir,
Your obedient Servant,
J. W. LAIDLAW,
Inspector.

The Hon. the Provincial Secretary,
Toronto.

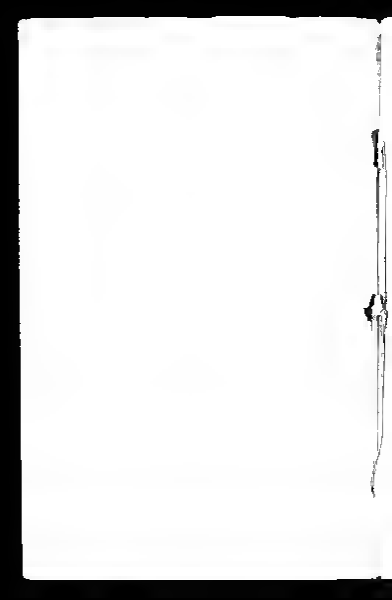
PROVINCIAL SECRETARY'S OFFICE, ONTARIO.
Toronto 7th July 1870

Sir,—With further reference to the correspondence respecting the escape of two prisoners on the 21st of May last from the Central Prison I am now directed to say that, the matter having been referred to the Hon. the Treasurer the conclusions set forth in your Report of the 30th June have been approved of by him. I am further to intimate that the neglect on the part of the guard, Frederick Hall should be visited with a reduction of a

week's pay to serve as a caution against his being again found guilty of a similar neglect. With respect to the escape of Berne gaolmates on the 31st June last, the Treasurer considers in the conclusion of your Report. The guard Mussell, appears to have been sufficiently punished by his suspension from duty, which he may now be ordered to resume but pay for the period of his suspension having been forfeited. You will be good enough to intimate officially the purport of the above to the Warder.

I have the honour to be,
Sir,
Your obedient servant,
E. R. ROLLESTON,
Assistant Secretary.

J. W. Leggatt,
Inspector &c.,
Taranaki.



EXTRACTS

From the Report of the Inspector of Prisons for the year 1876, in relation to the foregoing matters.

"When it is considered that a very large proportion of these prisoners are habitual offenders of the many orders who have for many years been earning a precarious and illicit livelihood in the Province, and not a few of whom have been committed to the Central and another in the Province, and not a few of whom have been committed to the Central Prison two or three times already, I cannot but think that the periods of sentence, as inflicted in the above summary, are much too short for the accomplishment of the objects detailed in the above statement, are much too short for the accomplishment of the objects detailed in the above statement, viz., that for one or more short periods every two years for the full term that the law allows, thus for one or more short periods every two years or less. The annual visit of this class of prisoners—three-fourths of whom are unmarried—tends to the fact that unmarried acquaintances would hardly look on hardship in the English fingerprint upon them for a living. On the contrary both for the humanities whereby married relations, their enforced absence from the family circle, and the loss of resources to the community during the past year.

"The fact that 441 of the 627 prisoners who were committed during the past year were, from their own establishments, of intemperate habits, also is additional evidence of the want, from their own establishments, of intemperate habits, also is additional evidence of the need, from their own establishments, of intemperate habits, also is additional evidence of the need, from their own establishments, of intemperate habits, also is additional evidence of the need

fastened. And in the misunderstanding of his silence, keeping in view this object, I have no hesitation in saying that it is better to err on the side of rigid discipline than in a laxity of it, and with respect to the two classes of prisoners referred to they have to be dealt with if not by opposite at all, events, so far as those extremes are removed, the nearest kind of discipline becomes necessary.

Assuming, as I do, that the proper protection of society, the punishment of crime and the reformation of the criminal must be the grand work of all effective systems of prison discipline, the very first step in the accomplishment of these objects is the total subordination of the will of every prisoner to constituted authority. The kind of judicial affection having been one continued revolt against law and order, upon Him or no subjugation of the will, no exercise of moral restraint, the very first lesson this those men have to learn on entering the Prison is implicit submission. Feeling that, in the execution of necessary measures for the attainment of this there will are not beyond such influences must prove abortive—whilst deportation of liberty only, for those who are, in a great measure, insensible to shame, to be accompanied by severe prison discipline and unalterable hard labour.

"This is now that has to be performed by the prisoners in the Central Prison is no matter than what however unpleasant or labourers untrials of the Prison have to do, and the hours are the same as on ordinary days and the remaining employment on the dietary being sufficiently better than what a large majority of respectable and honest men enjoy, there is nothing which they should complain. Cleanliness, both in the persons of the prisoners and in every appointment of the Prison, is one of the strictest principles, particularly and order in the performance of duty are strictly enforced.

"The moral and religious instruction of the prisoners, and for regulating the general conduct of the prisoners, constitutes the discipline of the Prison, and its enforcement neither involves harshness nor severity, unless a prisoner resolves that resistance necessary through disobedience or insubordination. The discipline of the Prison, however, must be maintained, and the rules and regulations obeyed, otherwise

DISCIPLINARY PUNISHMENT

must be resorted to. This consists, firstly, of depriving of a meal or certain privileges; secondly confinement in the dark cell for from 48 hours to 7 days and lastly, confinement in the dark cell in irons. The latter punishment is also employed by causing the refractory prisoners to be handcuffed to their beds at night. Apart from the necessity of the case, I am free to say that the punishment of the Prison is not severe, for, of course, cannot be the infliction of the least pain or suffering, but the general duty of the body, which, however, does not prevent the prisoner from walking up and down and resting the head and shoulders against the wall. When it was found necessary to administer this kind of punishment for the first time, the prisoner is given to understand that, on the first offence, after an hour or two, will depend upon himself. If he expresses contrition for the offence committed, he is at once taken out of irons. If a prisoner, however, has to be punished in this way twice upon once, he has to remain in irons for a fixed time, but if for a longer period than 24 hours he is taken down to the night and to the morning. The placing of a prisoner in irons is not resorted to except in cases of premeditated violence, or of continued disobedience of the rules.

"I am aware I may refer to certain charges, or rather insinuations, that were made, and which subsequently were formally investigated by the Visiting Justices and the Grand Jury of the Prison, in relation to the treatment of the prisoners on the part of these officers. Although the examination into these charges of alleged cruelty took place after the issue of the official paper it is but proper that the matter should be alluded to in this report.

It would seem that every instance of what was looked upon as cruelty was carefully noted by persons who had been dismissed from the prison service, and by various others who were disaffected towards the rule of law or lands of the officers alluded to. The sum of alleged cruelty amounted from the opening of the Prison on June, 1874, up to the time of the investigations, but not in a single instance were they made known to me in September either verbally or in writing, or in the evidence given to the Warden. Whatever might may have attended the persons from whom the information was obtained, and however discouraging in manner, it will under this occurrence be readily understood that every prisoner would be given to every case of the kind that might occur under the notice of the Prisoner.

"The instrument of self-destruction usually entrusted by all the convicts in this prison, namely, barrel-hoops, and a cowhide sandstrap of exactly the same strength that ours have been divided into seven distinct strands, in each of which I could suffer no blow in succession.

"In the present emergency, however, I was driven to my resources, and made use of three cases of wine, which were tapped on the floor, legs, hands, or some other part of the body with a stone used by the Acting Chief Guard, in order to get them to keep step to the other eight convicts. The evidence, however, pointed to the fact that this tapping for the wine soliciting more—was very frequent for the first year after the opening of the Prison, and there was not confined to the Acting Chief Guard, but was done to me also. I myself, at the Chief Guard's request, having been assigned by the Warden, as under was issued, prohibiting it, which, from the evidence, it would seem had not the desired effect.

"Ind. In six months, prisoner attempted to escape from the Prison by deceiving themselves until the Guards should be withdrawn, which, considered it necessary to keep the Guards on duty and watching him for eight years. The attempt was made unsuccessful through the Warden ordered that five of those should remain at midnight with a small arms, and the rest a night outside. These of those convicts had been transferred from the Penitentiary to the General Prison, as being utterly incorrigible and beyond the reach of reformatory influences.

"Ind. In five instances, prisoners upon reporting the sentence said, were ordered by the Acting Chief Guard to return to their work, as he believed they were intelligent—a—you—in which act of assignment commenced a series of the Guard's cowhide agitation. In each of these cases the prisoners returned to go to work and were, in consequence, placed in the dark cell, and upon being summoned by the Chief Surgeon in the presence of the Chief Guard, in every instance except one, was examined by the Surgeon, who pronounced the prisoner to be well and fit for work. The exception was a case of insanity.

"4th. One night, as the clock of 1878 was the beginning of 1879, a prisoner named Lewis became so noisy that he disturbed the entire discipline, and the other prisoners in Lewis became so noisy that he disturbed the entire discipline, and the other prisoners in his cell. Upon reporting the case to the Warden, the Acting Chief Guard was instructed to have a cowhide sing in the prisoner's mouth to keep him from screaming, and to silence the noise which Lewis was then making. He then left the prisoner in his cell.

On going who he could to carry out this instruction, the Chief Guard found that the prisoner attacked him with a piece of wood he broke from the bunk, upon which he defended the prisoner and beat him several times across the shoulders and back with a boy he had in his hand, after which the order of the Warden was carried out. The Turnkey on this occasion, states that he did not see Lewis attack the Chief Guard. It is possible that the attack may have been made while he was Turnkey making it, but in consideration of the Chief Guard's statement I was more positive, as I have seen no bodies and the prisoner was very broken, and that the prisoner had broken off a large piece of the same limb of the cell door. It remained for several minutes after the prisoner had given evidence of insanity previous to this occurrence, and subsequent events proved that the prisoner was correct but on the other hand, the Prison Surgeon had not certified to insanity for a considerable time after it took place. Under any circumstances, there was no proper place or means for the care of insanity in the Prison the alleged cruelty therefore, constituting the fact, did not change, in the same manner to prevent the prisoner from being destroyed, but in the charge, if true, that the prisoner was struck other than in self-defence.

"5th. One prisoner was kept in the dark cell with out being taken down, except to his meals and other purposes of necessity but it was clearly proven that he had been guilty of great insubordination, and was considered dangerous to the safety of the other prisoners, and that he was a violent and dangerous man. From the statements of the Warden and Chief Guard, it just became a question whether the officers or the prisoner should be masters. From the note of that punishment, the prisoner became one of the best behaved men in the Prison.

"6th. The Acting Chief Guard was said to have knocked a prisoner's head against the wall until the blood came from his ears. That the Acting Chief Guard denies, and the Surgeon states that it is impossible that that could have been done without causing a fracture, which neither the Surgeon nor anyone else saw.

"8th. Three prisoners were placed in irons for insubordinations and while in that condition were exceedingly noisy and violent. Upon being asked by the Acting Chief Guard with a view to stopping the noise, and while the irons were being removed from

them in order to take them to another cell: it was simply proven that two of them used the vilest language to the officer mentioned, and one of them shaked him. Under this circumstance the Acting Chief Gaoler struck them with his stretched fist. All of these persons were proved to be violent men, requiring frequent punishment.

"In the foregoing categories are comprised all the sets of cruelty that were brought to light, after a most perfect investigation embracing over two weeks during which time many officer of the Prison was placed under oath and examined.

"To sum up in respect to these various charges, it would be absurd to designate what is referred to by the first and second categories as acts of cruelty, inasmuch as the same punishments being carried on every day in the Common Gaol-cells. They look, however, been accepted in the Central Prison a year prior to the investigation.

"With respect to what is comprised in the third category. It is clear that as long as Gaolers will have violent prisoners, they will have and they ought as a matter of right to punish them for their violence. In similar manner that such punishes of judgment may be ordered by the Magistrates, the Prison Officers have the discretion to punish the prisoners every morning at nine o'clock, so that every case of violence reported may be prosecuted upon by the Superintendent himself at the Court.

It is much to be regretted that such harsh measures had to be adopted in the case of Lawrie, in order to prevent him from disturbing the disobedience at night and breaking best lamps and glass. There is no authority in the Penal Code for the Prisoner about Lawrie transferred from the Prison to Rockwood Asylum under order of another, but after a very short examination on the part of the Medical Superintendent of that Asylum, he certified that the man was not and never had been insane, although violent and with an ungovernable temper. I have recommended that some lesser provision be made for the punishment of such refractory prisoners, and I do most decidedly think that when the question is settled a room should be provided for those persons requiring their custody to an asylum.

That part of the charge in respect to the Acting Chief Gaoler striking the prisoner Lewis, although a subject of interest, is useless, as the statement shows, be a question of veracity between that officer and a prisoner.

The case of prisoners referred to in the fifth category are found in all prisons and although not to more than solitary confinement and spare diet, and the parliamentary with regulations and rules of the Penal Code, that power cannot be taken from the Prison Officers, nor punishment awarded in that particular case, any more than it can be taken from the Judges of the Courts of Law and Equity, and this case are always exercised under punishment.

Although the Chief Gaoler committed me the malpractices as a prison officer but which, in the light of this facts related, cannot possibly be characterized in acts of cruelty. Under no circumstances, except in a case and well-defined case of self-defence, should a prison official strike a prisoner. Such violence would be considered unlawful, only allowed the necessity and imperative of the illegal overstepping his own bounds, and only allowed the format of punishment, while the charges are not proved.

Before closing my Minutes in connection with the subject, I deem to say that I wish to return grateful for the discipline of the Prison to be maintained without inflicting physical pain, and that even such punishments as daily confinement in a small cell or other light object, but as far as I can ascertain both agencies are necessary in all well-regulated prisons. To well-behaved prisoners, however, and they comprise the large majority there is no terror in this that dark cells and even irons are to be resorted to, in order to keep the rarely bad misdemeanors under control.

The former check that the industrial operations of the Prison resumed through the failure of the Canada Iron Company to carry out its original contract with the Government for the employment of the prisoners, has prevented me from temporarily such a system of rewards and remissions of sentences as will tend to encourage and promote good conduct, and materially industrious habits on the part of the prisoners. Now, however that the industrial system of the Prison bids fair to be permanently established I trust that I will be warranted in submitting a scheme for the approval of this Government at an early day.

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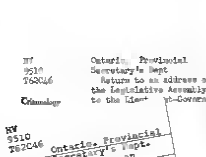

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RETURN

(Central Prison)

To an address of the Legislative Assembly to the Lieutenant-Governor praying that he will cause to be laid before the House copies of the Report made by the Provincial Secretary and the Inspector of Prisons, regarding the internal management of the Central Prison, as the result of any investigation by them, together with a copy of the evidence taken upon the investigation

By Command,

S. C. WOOD,
Secretary

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, JANUARY 16th, 1877

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
TORONTO 30th December 1876.

MEMORANDUM.

The undersigned having investigated the charges made against Chief Guard Beaumont by the Warden of the Central Prison, finds that the suspension of the Chief Guard by the Warden and his subsequent dismissal were fully justified

S. C. WOOD,
Provincial Secretary.

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 13th September 1876

The Complaints against Chief Guard.

SIR,—I have the honour to transmit to you for your information a communication addressed to me by Prisoner Guard Patrick Wall preferring various charges against Chief Guard Beaumont, and to inform you that with reference to the first subject of complaint I disposed of it as follows.—"That the Chief Guard was guilty of improper conduct, in obstructing the egress of Guard Wall from the prison on the Sunday in question he (the Chief Guard) having no power to do so, the guard not being on actual duty at the time. That the proper action of the Chief Guard should have been to have given Guard Wall his orders, and if they were not complied with, to have charged the guard before the Warden with "disobedience of orders."

With reference to the other charges preferred by Guard Wall, I declined to receive and entertain them, as the charges were not made within twenty-four hours of the occurrences complained of. I have further to add that prior to my taking up the matter the Chief Guard stated to me that Guard Wall *had expressed a desire to withdraw* the complaint this of course I paid no attention to.

I have the honour to be,
Sir, your obedient servant,
W. S. PRINCE,
Warden.

To the Inspector of Prisons.

P. S.—Since writing the above, it has been reported to me that the Chief Guard sent for Guard Wall and asked him to withdraw the communication made to the Warden as it would ruin him in Toronto. Upon receiving this report I questioned Guard Wall as to whether it was correct or not. The guard in reply states to me that he was sent for to the office by the Chief Guard, and solicited by him to withdraw the letter as the result would ruin him in Toronto. These proceedings on the part of a Chief Executive Officer of a prison and his subordinates, I think perfectly disgraceful and certainly tend to corroborate the assertion of Guard Wall — That the Chief Guard's control over the guards is merely a nominal one and that it cannot be expected that such a man can execute the authority of a Chief Guard."

W. S. PRINCE,
Warden.

CENTRAL PRISON
Monday, 9th Sept. 1878

To the Warden

SIR,—I wish to bring to your notice the extraordinary conduct of Chief Guard Beaumont, on Sunday last, in detaining me as prisoner and prohibiting me from exercising the right to free egress from the building when not on duty) which I consider myself am tled to both as guard and a freeman. I am see no pas in our Regulations authorizing such conduct, and even if such authority existed I should imagine that while you were on the premises the proper course to adopt would be to first acquaint you and then to act according to your instructions.

I also beg to inform you that the above conduct though strange, does not surprise me, as I had been for a considerable time expecting him to do something wonderful as to my knowledge and to the knowledge of every guard in the Prison (which can be testified upon oath) he is in a habitual state of drunkenness more or less; his control over the Guards at the present moment is merely a nominal one. If one of the guards be detailed for duty on Sunday and he does not like to do it, he goes to the Chief and says it is not my turn for duty; the detail is changed and another man put on. One instance—on Sunday last Guard Gilford was detailed and subsequently Norton in his place. he does not report these things or in fact anything, as far as I can see, for he is in the power of every man in the institution, consequently it cannot be expected that such a man can exercise the authority of Chief Guard.

For when the Deputy Chief Guard warns a guard for duty, he knows he must do it, neither are there any practical jokes carried on the reason being that the man is always sober and capable of giving and receiving orders. With reference to what I have stated concerning the habits of Mr Beaumont, I can testify upon oath and so can the guards in general.

I am, Sir,
Your obedient servant,
PATRICK WALL.

Re Charges against Chief Guard, Central Prison

Toronto Sept. 16, 1879

Sir,—I have the honor to inform you that it is my intention to investigate into charges of drunkenness and irregular conduct that have been preferred against you as Chief Guard of the Central Prison.

I have the honour to be Sir

Chief Guard Beaumont,
Central Prison

Your obedient Servant,
J W Langmuir,
Inspector

Warden's Office,
Central Prison by Offgard,
Toronto, 20th Sept. 1879

Minutes of an investigation held by the Inspector of Prisons, into certain charges preferred by guard Patrick Wall against Chief Guard Beaumont, commenced at the Central Prison, on the 20th September 1879 —

Patrick Wall being sworn deposed as follows —I am a guard on the Central Prison was appointed as temporary guard on the 10th March 1879 and on the 5th of May was permanently confirmed in the position. On the 5th of September (Friday), as prisoners into the dormitory in the guard-room I found a lot of clothing, which I thought was placed there as a joke. I threw them out the yard through the window A short time after the Chief Guard asked me if I had thrown them out, and asked me to go out and pick them up I said I did and told him some of the other guards had the better right to do so I then prepared to go out of the prison as I was not on prison duty but on going to the guard door on the outside which is the proper way out, I found it locked and the Chief Guard informed me I could not go out. I then went back to the guard-room, and remained there until 7 p.m. when I went out into the town. I reported the matter to the Warden verbally on Monday and on Tuesday morning I sent in the written statement now produced and marked No. 1 With respect to the statements made in the paper in regard to the intemperate habits of Chief Guard Beaumont, I repeat the same now upon oath. I informed the Deputy-guard, Mr Unsacke, and the guards generally that I reported to the Warden my detention in the guard-room also in respect to the intemperate habits of Mr Beaumont. On Tuesday or Wednesday Guard Unsacke came to me and told me that Mr Beaumont wished me to withdraw the charges I had made against him in respect of his intemperate habits. I said to Unsacke that I did not care whether they were withdrawn or not, as it was the truth

On the following morning after the conversation with Unsacke he (Unsacke) came again to me and said the Chief Guard wished to see me in the Warden's Office. I went to him, when he asked me what satisfaction I would give me to bring the charge of intemperance before the authorities, if even I could prove it? I said that as far as I was concerned it would ruin himself and family I told him that I had no apprehension as to the result of a trial, but if the Warden would permit, I had no objection to the withdrawal of the charge of intemperance. On the same evening the Warden sent for me and on the presence of Mr. Beaumont the charge of my detention in the guard-room was disposed of by the Warden but the Warden expressed himself shocked in respect to the charge of intemperance preferred against the Chief Guard, and told me that the charges should have been made twelve hours after the occurrence.

I then came to the conclusion that the Warden believed that I had apprehension of the result of the charge of intemperance made against Beaumont, from the conclusion he arrived at, and from his statement that the charges should have been made within twelve hours after the occurrence.

The first week I was on night duty in the prison, during my temporary appointment, which was on the 25th of March, I saw the Chief Guard in the south corridor about 7 or 8 p.m., he spoke to me. I then suspected that he was under the influence of liquor. I asked him some questions as to the discharge of my night guard duty as he did not instruct me,

and from his answers to me, I was convinced that he was intoxicated. Having asked him what I should do if I saw a prisoner coming out of his cell at night? he said, "Shoot him, put the six barrels into him." I had only a five-chambered pistol. I thought I had no right to shoot a prisoner under such circumstances, as there was a gong to warn and bring assistance. I also made inquiries upon him. His sobriety was challenged.

On the 13th April, at 10.05 p.m., Beaumont visited Guard Somers while he was on night duty. I saw him through the grated door.

I saw no entry in Somers' night guard's report, saying, "Visited by Chief Guard at 10.5, drunk." The Deputy-chief Guard, as Somers told me, asked him to report it. The same night, at about "8," I saw Beaumont, and he was then under the influence of liquor. I judge so from the same evidence as before quoted.

On the 24th June it commenced to rain at 4.30 p.m., and the prisoners, who were breaking stone, were brought in and put into their cells without being counted, and the cells were not locked, neither of those duties were performed until six, p.m.

The Chief Guard was drunk that afternoon; Mr. Unsicker remarked the same thing to me; he talked very thick; the Deputy-chief was absent on leave of absence that day.

On the last week in August, Guards Ramsay and Dean both remarked to me that the Chief Guard was drunk, which I saw myself. Ramsay said, "By George, he is pretty full" and Mr. Dean, "He has a good deal in him."

I have frequently seen him drunk on other occasions, but I have not the dates. I never saw him drunk any hours inside the prison; but Guard Unicoke told me that he had drank liquor with him (Beaumont), upon the prison premises.

He said that somewhere about the week ended he found Beaumont drinking whiskey or liquor with some other guards. He said Beaumont offered some to him and he drank it. I have never with my own eyes seen Beaumont, or any other officer or guard drink liquor upon the prison premises.

With respect to my statement that Chief Guard Beaumont carried over the guards in new recently mentioned I have many instances of it viz. on the 22nd June, prisoners O'Sean, McAllister Adams, Lee Hay and Campbell were reported by Guard Somers for laughing and talking, they could not have been reported to the Warden as no punishment or reprimand followed.

On the same day Guards Hill and Watt reported McCarty, Lynch, Lee, Slack, Sails, Kelly, Wesley, Day Collins, Williamson and Ryn for misconduct in work and talking, but no punishment was awarded. On the 23rd June I reported prisoners Walker and McKeowney for laughing and talking at the dinner-table they were not punished and I have not seen prisoners since.

Also see done on the guard-room such as whistling, talking, dancing, etc., before Beaumont, which would not be done before Mr Steadman; and from which I think that they the guards don't care for him.

Certain guards can get off doing duty by simply telling Mr Beaumont that other guards come before them, when it is really not the case. On the 2nd of May I went off night duty, when I was warned for Sunday corridor patrol which is from 1 to 5 p.m. I performed the duty. This was prior to the issue of an order forbidding it. I have no evidence or proof that Mr Beaumont, instructed to perform his duty by giving orders or carrying out orders to guards, for fear of offending such guards, but I have my opinion that he has.

P. WALL.

CAPTAIN PRITCH, Warden, sworn.—Chief Guard Beaumont informed me, before I investigated into the charges preferred against him by Guard Wall that Wall had expressed to him a desire to withdraw the charges made against him, but I was not aware that the Chief Guard had prior to that, been using influence upon Wall as stated on his evidence, to have the charges withdrawn. As soon as I discovered that, I reported the matter to the Inspector.

W. H. PRITCH. *Warden.*

MAURICE UNICOKE, sworn.—Last guard in the Prison. have been on some in coming. I never told Guard Patrick Wall that I came upon Chief Guard Beaumont drinking liquor with a guard or guards somewhere about the screw-gun shed, and that I took some liquor myself at the time. I never told Guard Wall any such thing because it never happened. I never saw Chief Guard Beaumont drink upon the Prison premises nor I never saw him

under the influence of liquor; nor I never told Wall that I saw him—the Chief Guard—in that state. I have heard Wall say things about the Chief Guard that convinces me that he has a spite against him.

M. URQUHART.

Guard MARTIN SOMERS, sworn :—

I have been a guard in the prison for ten months. I was on night duty on the 15th of April last. On one occasion—I don't say when—I made an entry in the night-guard report book, that I had been visited while on night-guard duty by Chief Guard Beaumont at a certain hour, when he was drunk. I showed the report to Deputy Chief Stedman, and he told me there was plenty of time, and to wait. I then erased the part stating that the Chief Guard was drunk when he visited me. I don't remember that I showed the report to Wall, but I told him of having made it; the reason why I made the entry was, that a few days before that I was entered for duty by the Chief Guard out of my turn. I informed him that it was out of my turn, as I told him who should come first. He told me that he kept the duty roster, and that I must go on. I said "very good," but I wished to see the Warden. Upon that the Chief Guard slapped his stick on the guard-room floor and said that he would allow no one to change his entry. He also called me a grumbling fellow, and said that if I would send in my resignation the Warden would accept it. I was not put on duty that night or the following, although I was detailed. I thought that a man who had been fifteen years an effective non-commissioned officer in the service should have known better than detail for duty out of turn, and therefore I said he was detailed into the manner of speaking of night [illegible] and me that he was drunk. He spoke thickly. I never saw him drink upon the Prison premises, nor no one of the guards ever told me that he was seen to drink upon the premises.

M. SOMERS.

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 23rd Sept., 1875

SIR,—Having heard from some of the guards of the Central Prison, that during the afternoon of the 20th inst., you held an investigation into some charge or charges preferred against me by a guard of the Prison, named Wall, and having it's most implicit faith in your sense of justice, I beg to request that I may be informed if such is the case.

Although not a public servant, I have a right to know when an official investigation into the propriety of any of my acts takes place. I am not aware, nor have I been informed, of having been guilty of any dereliction of duty or breach of discipline of any sort, as such has any act that would necessitate an investigation. But I am aware of the fact, that the aforesaid guard, Wall, addressed to the Warden a letter containing some extraordinary charges against me. Guard Wall, at the time was smarting under the infliction of a censure from me, for which I did then and do now consider an unwarrantable act on his part. He expressed his regret for writing the letter the following day and requested me to ask the Warden to allow him to withdraw it, which I did.

The Warden saw Guard Wall that afternoon and in my presence informed him that he declined to receive the letter, as it was entirely contrary to the By-laws to accept such unspecified charges, which were also made quite out of the limits of the time prescribed.

I am quite willing if it is considered necessary for my acts and mode of conducting the duties of my position, to become the subject of either a Government or Public investigation; but I insist, if such is the case, that I may be duly informed of it, and made acquainted with the charge or charges preferred against me; and further that I may be allowed to be present to hear the evidence given against me.

I have the honour to be,
Sir
Your obedient servant,
JAMES BEAUMONT,
Chief Guard.

The Inspector of Prisons,
Toronto.

SEPTEMBER 23rd 1875

Re Complaint against Chief Guard,
Central Prison.

SIR,—Referring to your letter of the 15th inst. and my subsequent enquiry into the facts of the alleged misconduct of Chief Guard Beaumont, I have the honour to inform you that although I do not consider the evidence offered as that in my opinion sufficient to warrant any proceedings in an investigation, yet I am convinced that there is some truth in the charges, although proof sufficient to convict the Chief Guard of the alleged misconduct was not forthcoming.

In future I shall decline to make any investigations into such charges unless they are made by yourself and brought officially to my notice on demanding an investigation, with evidence as to their correctness.

You will be so good as to hand the enclosed letter to Chief Guard Beaumont.

I have the honour to be, Sir
Your obedient servant,
J W LANGMUIR,
Inspector

Capt. W. S. Prince,
Warden, Central Prison,
Toronto.

Re charge against Chief Guard
Central Prison.

SEPTEMBER 28, 1875

SIR,—Referring to your letter of the 23rd inst. I have the honour to inform you that certain charges were made against you by Guard Wall and forwarded to me by the Warden, and that I made an informal enquiry into their correctness, and found that there was not sufficient evidence to warrant my making a formal investigation into the matter

At the same time, the evidence adduced left no doubt on my mind that the charges were more or less correct and I would, therefore beg to reiterate that which is well understood to be a rule of the prison,—that drunkenness will on no account be tolerated and that I should recommend your dismissal should a well authenticated charge be brought to my notice of any such misconduct on your part

I have the honour to be, Sir
Your obedient servant,
J W LANGMUIR,
Inspector

Chief Guard Beaumont,
Central Prison.

TORONTO, February 20th, 1878

To the Inspector of Prisons,

SIR,—Some months since I addressed you a communication in relation to the conduct of Mr James Beaumont, the Chief Guard of the Central Prison. In this letter no specific charge was preferred against him, as no actual evidence in support thereof was available and could be produced by me, but I stated in that letter that the Chief Guard *owing to his intemperate habits his neglect in not reporting matters connected with the discipline of the Prison,* and his *obstructiveness in the performance of duties ordered by me* together with his *deceptive practices,* unfitted him for such a responsible and important position as Chief Guard I have now to reiterate my former statements, and to add that from circumstances which have transpired, I consider the present Chief Guard an *abnormalism and dangerous officer* In using the word dangerous, *I mean that he would wilfully commit an action that would not only tend to involve me, as Warden, in serious trouble, but bring disgrace upon the Institution. It is the duty of the Chief Guard to correctly keep the Registry of Prisoners,*

the Registry shows the description of the Prisoners, the date of sentence, and expiration of sentence. These entries are very simple, and with common attention, no mistake, except *unintentionally* committed can possibly occur. The prisoners are discharged by me personally of a morning, the Chief Guard producing a board, on which the prisoners' names are inscribed, containing those to be discharged during the month, with the dates of discharge are opposite their respective names.

On the morning of the 8th of January I discharged William Lynch, in accordance with the registered date. Some days afterwards it was reported to me by the Deputy Chief Guard, Mr. J. Mathias, that the prisoner had been discharged before the expiration of his sentence, and was ordered to be arrested; and the circumstances of this wrong discharge was withheld from my knowledge by the Chief Guard.

A prisoner named Page (a receiver of stolen goods: well known to the Toronto police), was brought into my office dressed for discharge, in accordance with the Chief Gaoler's order, on the 12th January inst. The Deputy Chief Guard, suspecting that his term of service had not expired, prevented his being discharged, and on reference to the copy of the sentence, it proved not that his period of imprisonment did not expire till the 30th of January, although he was registered to be discharged on the 12th. This was never reported to me by the Chief Guard. I have had difficulty in getting my orders carried out by this officer. In fact, upon occasions he has obstructed the observance of them, and instances have occurred in [illegible] together unpleasant to read my orders to the officers of the Prison.

Dereliction of duty on the part of officers have been, I am convinced, utterly ignored by him, and of course not reported to me. In fact the discipline of the Prison has only been thoroughly maintained from the reports and assistance rendered me by his subordinates, the Deputy Chief Guard. He has been obvious to me for the past eighteen months that the Chief Guard had no moral authority over his subordinates: he is therefore afraid to exercise his official authority the result of his previous misconduct and intemperate habits all of which the Prison guards are cognisant of.

I have no hesitation in affirming that that officer whom on duty in the Prison, of an evening absents himself at times when he should be present at the guard room [illegible] has ever displayed marked indifference to the welfare of the Prison, and to the earnest and systematic labour of the working gangs.

His observance of duty when encouraged and I feel that his retention in such a position of trust would be prejudicial to the discipline and success of this Institution. I consider him an official not to be trusted—untruthful intemperate, deceptive and subversive and I have no hesitation in saying that he is capable of playing me a false trick at any time. I therefore seriously desire that you will be good enough to bring the matter of this letter under the consideration of the Government, and recommend the removal of this officer from his office as Chief Guard.

In advocating the removal of that official without a shreddy drawn up charge, supported by the necessary sworn evidence, I would observe that, having been in command of bodies of men for many years in various trusts and positions, experience has taught me that as a rule absolutely necessary in order to dispense with the services of an undeserving officer who at any time might forfeit the trust reposed in him, to be compelled to produce witnesses, take sworn testimony and go into a lengthy investigation and this is especially declined to the executive administrators of the Police Department, where it is often impossible to bring home charges against a wily police officer who is an adept at avoiding actual detection in the act.

The only mode left for the executive officer in disposing of such an official, as general impressions as to the results of duties performed by him [illegible] vigilance, and energy and commendableness in the discharge of duties.

I remain, my dear Sir

Yours truly

W. S. Prince.

Warden.

P. S.—In that part of my statement relating to the conduct of the late Chief Guard, James Beaumont, in not reporting officers, what I desire to convey is that the late Chief Guard abstained from making reports against officers when he had the opportunity of noticing offences that came under his personal observation, and that he was otherwise cognizant of such, as officers coming into the guard-room intoxicated, wrangling and swearing, drinking in the premises, &c., offences which I could not possibly know of, unless they were reported to me, and which misconduct more than any other tends to upset the discipline and respectability of the Prison and its staff.

There are a number of offences registered by me in the Officers' Misconduct Book, as having been reported by the Chief Guard; these, however, are offences patent to the whole Prison, and taken cognizance of by me immediately such as neglect of duty, allowing prisoners to escape, absence from night duty, absence at evening parade for duty, absence from gang duty, all which is known to all the officers at the time, and could not be concealed. Action thereon being required at once, in order to carry on the supervising duty correctly.

Prisoner, Edward Shurlitt, transferred 2nd August, 1875; sentenced 12 months; should have been discharged on the 24th July, 1876, but registered for discharge 31st July.

Wm. Proctor, transferred 8th November, 1875; sentenced 9 months; should have been discharged 28th April, 1876, entered in register as to be discharged 27th.

Mathew Fowler, transferred 3rd January 1876; sentenced 6 months; registered for discharge 2nd April, 1876, should have been discharged 27th April.

Francis [illegible], transferred 7th February, 1876; sentenced 6 months; registered for discharge 5th August, 1876, should be 24th July 1876.

Alex. McKenzie, transferred 7th February 1876; sentenced 6 months; entered in register to be discharged 27th August 1876, should be 27th July 1876.

Richard Clowsy transferred to Central Prison 17th November, 1874 sentenced 18 months; escaped 14th May near the west wall, registered in the Prisoners' Property Book as having £5.15 by the Bursar Mr Short, and in the column where the prisoner's name ought to appear as a witness to the possession and register of the amount the initials J B., in the handwriting of the late Chief Guard, James Beaumont the property is not forthcoming, it should be in the safe at the present time.

W S Prance,
Warden.

Office of the Inspector of Asylums, Prisons, &c. Ontario,
Toronto, 1st March 1876.

To Chief Guard, Central Prison.

Sir,—I have the honour to transmit for your information and instruction a communication received from the Warden of the Central Prison commanding in the strongest terms upon the character and conduct of Mr. James Beaumont, Chief Guard of the Central Prison. The charges, as you will observe, most seriously affect the moral and official character of that officer and whether true or false, must completely destroy for the future good relationship and confidence that should exist between the Warden and the Chief Guard.

That you may the more readily realize the results of the want of confidence, I may state that all the Warden's orders to sub-ordinate officers and guards, pass through the Chief Guard, and during the absence of the Warden from the prison, he acts as Deputy Warden, and as such is clothed for the time being with the full authority of the Warden.

The charge preferred against him, by the Warden, of drunkenness upon the prison premises, has been made on several occasions before, and although not directly proved legally still I entertained no doubt as to his guilt, and warned him that the production of *reasonable* evidence of his being intoxicated would be followed by instant dismissal. Such action became imperative inasmuch as it had been *clearly proved* that the Chief Guard had been in the habit of frequenting taverns and drinking in them with the Prison Guards.

The charges that he is deceptive in his character and guilty of practices that render him an obnoxious and dangerous officer and one that would wilfully involve the War-

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den in trouble, and bring disgrace upon the institution" are of such a nature as only to be properly judged by one coming into daily contact with the Chief Guard, and having his habits and practices under constant observation.

This charge that the Chief Guard has discharged some prisoners before the expiration of their sentences is correct, and in either the result of gross carelessness in keeping the register, or a criminal interest and collusion with prisoners. If due to carelessness only, such explanation and report should have been made to the Warden of the facts, as would have enabled him to guard against a recurrence of the carelessness. This, it seems, the Chief Guard neglected to do.

The charges that the Chief Guard has neglected to carry out the orders of the Warden, and in some occasions has obstructed the observance of them; that he has not reported on many occasions dereliction of duty on the part of officers; that he has no moral authority over his subordinates, and that he is afraid to exercise his official authority, owing to previous misconduct and intemperate habits, which are known to the guards, are also of such a nature that they can only be properly judged by one coming in daily contact with the Chief Guard and having him under constant observation.

While I am fully of the opinion that any officer or servant of a public institution against whom charges are preferred, is justly entitled to demand and receive through an official investigation, an opportunity of rebutting such charges, still when the head of the institution and the officer directly responsible to the Government for its discipline and management (more particularly in a prison where the safe custody of prisoners is at stake), deliberately stands over his signature as the Warden of the Central Prison does respecting the Chief Guard, "that his retention in such a position of trust would be prejudicial to "the discipline and success of the Institution...that he considers him an official not to be "trusted...untruthful, intemperate, deceptive and scheming." It is very clear that if the Warden is to be held responsible for the management and discipline of the Prison that any subordinate officer respecting whom he finds it necessary to report in the manner he has done in this case, must be summarily dismissed.

I have the honour to be Sir
Your obedient Servant,
J. W. Langmuir,
Inspector

To the Honourable, the Provincial Secretary

3rd March.

Re Chief Guard.

Sir —I have the honour to acknowledge the receipt of your letter of 20th ultimo, preferring certain charges against the Chief Guard of the Central Prison.

You state that owing to intemperate habits, evident in not reporting matters connected with the discipline, and obstructiveness in the performance of duties ordered by you together with deceptive practices generally that that officer is unfitted for the discharge of the responsible and important duties of his position.

You also state that in your opinion he would not hesitate in wilfully commit an action that might not only tend to involve you as Warden in serious trouble, but would bring disgrace upon the Institution. You further state that, owing to carelessness in keeping the Register of the Prison (a duty that devolves upon the Chief Guard) that prisoners have been discharged from the Prison upon several occasions prior to the expiration of their sentence, and, that although these irregularities were well known to the Chief Guard, still he failed to report the matter to you, in order that steps might be taken to prevent the recurrence of the same.

You also state that you not only experienced great difficulty in having your orders carried out by this officer, but that upon some occasions he has obstructed the observance of your orders, and on other occasions has neglected altogether to read them to the officers of the Prison.

You state that dereliction of duty on the part of officers has been utterly ignored by him, and not reported to you; and that, in fact, the discipline of the Prison has only been thoroughly maintained by the reports and assistance of officers subordinate to him.

You say that you are convinced that the Chief Guard has no moral authority over his subordinates, and that owing to previous remonstrance and recompense habits—of which the Prison Guards are cognizant—that he is afraid to exercise his official authority over them; and that you therefore consider him an official not to be trusted, untruthful, intemperate, deceptive and scheming.

I need not state that under ordinary circumstances, it is the desire of the Government that officers and servants of public institutions against whom charges are preferred should have an investigation into such charges, and obtain an opportunity of rebutting them; still when the head of an Institution, and the officer directly responsible to Government for the discipline and management (more particularly that of a Prison, where the safe keeping of a large number of prisoners is at stake), deliberately makes charges that so seriously affect the moral and official character of an officer, and, in consequence, the character of the institution with which he is connected, it is clear that if the authority and responsibility of such manager is not to be totally destroyed, the officer whom he so unfavourably reports must be dismissed; for whether the charges are true or false, it is very evident that the good relationship and confidence that should exist between them must be completely destroyed.

When it is considered that all your orders to subordinate officers and guards pass through the Chief Guard and that, during your absence from the Prison that officer acts as Deputy Warden and is clothed for the time being with the full authority of the Warden, this action becomes the more reprehensive.

Having laid your communication before the Honourable the Provincial Secretary who has given the matter the fullest consideration I am directed by him to inform you that the services of Ch.f Guard James Beaumont are now no more required, and you will communicate to him this, for the reasons set forth in your letter he has been dismissed from the Central Prison service.

I have the honour to be
Your obedient Servant,
J. W. LANGMUIR,
Inspector

The Warden of the Central Prison,
Toronto.

BOX 50th
TORONTO 9th March, 1876.

To the Honourable R. C. Wood,
Provincial Secretary

SIR,—I have been much surprised by the receipt of an official letter from the Warden of the Central Prison, in which I am informed that in consequence of certain charges having been made against me, the Governments have directed my removal from the position of Chief Guard which I have held a not the opening of the institution

As this step involves not only the loss of my situation, but also my character I am surprised that I should not have been previously informed as to the nature of the charges and an opportunity allowed for an explanation.

I am therefore refused respectfully to request of you as Secretary of the Province and head of the Department under which I have been serving, to cause me to be supplied with a copy of the charges, and further that the Government will afford me an opportunity of confronting my accusers, with a view to remove the censure implied in the summary dismissal of which I have been so unexpectedly notified

I have the honour to be Sir,
Your most obedient Servant,
JAMES BEAUMONT.
Late Chief Guard, Central Prison.

17th March, 1876.

SIR,—I am directed by the Hon. the Provincial Secretary to acknowledge the receipt of your letter of 9th inst., and to state that the reasons why you were removed from the position of Chief Guard of the Central Prison are set forth in a letter received from the Warden, of date February 20th, inst. In that letter the Warden states that owing to your intemperate habits, neglect in not reporting matters connected with the discipline of the prison, obstructiveness in the performance of duties ordered by him, irregularity in keeping the register of the prison, neglect in not reading the orders issued by the Warden, keeping a blotting and not reporting offences and misconduct on the part of officers of the prison, and deceptive and obstructive practices generally, your removal was recommended.

While the Government is desirous of giving every officer in the service of a Public Institution an opportunity of rebutting any charges that may be preferred against him, still it is clear that if the authority of the Superior Officer of an Institution, particularly of a prison,—is to be upheld, due weight must be given to all charges preferred against an subordinate officers.

When therefore the Warden over his own signature deliberately states that your retention in office, for the reasons set forth by him, would seriously affect the discipline and management of the prison, it is clear that the good understanding and confidence that should between you Warden and the Chief Guard is completely destroyed.

Particularly is this the case when as you know, the Warden's orders to all subordinate officers and guards must pass through the Chief Guard, and that during the absence of the Warden he must act as Deputy Warden. For these reasons the Warden was instructed to remove you from your position as Chief Guard of the Central Prison.

I have the honour to be,
Sir, your obedient servant,
J. W. LANGMUIR.

Mr James Beaumont,
Box 605 Toronto Ont.

BOX 606, TORONTO, 22nd March 1876.

The Honourable the Provincial Secretary, Toronto.

SIR,—I beg most respectfully to transmit to you a copy of a letter I have written to the Inspector of Prisons in reply to one I rec'd from him written by your direction, and by which I was for the first time made acquainted with the grounds for my removal from the position of Chief Guard of the Central Prison.

I have the honour to be,
Sir, your obedient servant,
JAMES BEAUMONT

BOX 606 TORONTO, 21st March 1876.

The Inspector of Prisons.

SIR,—I have the honour to acknowledge the receipt of your communication of the 17th instant, in reply to my letter of the 9th addressed to the Honourable Provincial Secretary detailing the charges made against me by the Warden of the Central Prison and regret that my dismissal was so arranged that I am should be the first opportunity of my becoming aware of their nature, or being able to offer any explanation in reply

1 *Intemperate Habits.*

This habit I deny and beg to state that, though not a total abstainer I have never while an officer in the Prison been in the least incapacitated from the proper performance of every duty required of me, day or night, in consequence of intemperance Further

when I entered the service of the Central Prison it was with the full understanding that any single act of intemperance would be dealt with in the manner adopted in the Army Navy and Convict Service of Great Britain, viz., that the Warden would call a witness to the fact and suspend me, my dismissal as a matter of course immediately following—this has never been done, nor have I ever been charged with intemperance by the Warden.

2. *Neglect in not Reporting to the Warden, &c.*

With regard to the accusation of neglect in not reporting to the Warden matters connected with the discipline of the Prison I distinctly assert that I am entirely ignorant of any neglect in this particular, certainly none that would be deemed matters of importance by any reasonable judge.

It is true that I suppressed one report made to me of insubordination of prisoners in one gang, as the cause of it arose from the alleged conduct of the Warden

3 *Obstructiveness as the Performance of Duties*

This I must again deny any consciousness of, unless it refers to matters connected with the domestic arrangements of the Warden's house, the written orders for which I now hold to be produced when required having always felt too much interest in prison affairs to have offered the slightest obstruction at any time.

4 *Irregularity in Keeping the Register*

In reply to this I have only to remark that from the opening of the Central Prison to the day I left, no person ever made an entry in the Prison Register but myself that it lay open every day without exception or the Warden in office for his inspection, and on no single occasion has there ever been the slightest fault found with its correctness or incompleteness. Surely if any neglect existed in this matter it was not unreasonable to expect that my attention would have been called to it by the Warden, especially when he was fully aware of the various other calls upon my time and attention. Referring to an error I made in computing the term of a man named Lynch by which he was discharged some days previous to the execution of his sentence, I may state that I reported the mistake to the Warden immediately I discovered it—four days after. This man's sentence was among the first I had to calculate after taking up that duty and I believe is the only case in which any mistake on my part was not discovered in time to prevent any unfavourable result.

I may take this opportunity of drawing your attention to the fact that, although paragraph 74 of the by-laws fixes the duty of the Chief Guard to see that the books, &c. in the Warden's office are properly kept, the additional duty of *doing* it was imposed upon me through sanctions in the shape of a prison alert being forbidden by the Warden, and no other provision made. The variety of other duties laid me for the performances of the Chief Guard must seriously interfere with that uninterrupted attention which is so essential to the correct keeping of books of any kind, and I referred in this in my letter to you of the 16th October last.

5 *Neglect in not Reading Orders Issued by Warden*

I emphatically deny that I was ever guilty of neglect in reading any of the orders of the Warden, the whole of the orders having been read by me at the time of publication, with the exception of one or two which the Warden himself verbally informed me need not be read, and to which I can refer to from memory when called upon.

6 *Overlooking and not Reporting Offences of Officers*

In this matter I cannot recall any case of neglect on my part, which on the reasonable discretion to which the officer is my position was justified in exercising.

Had I reported all reports made to me during my service in the Central Prison, serious scandals might have been brought to notice, which, for the credit of the prison I deemed it my duty to suppress.

I am happy to be informed that the Government is desirous to give every officer in the service of a public institution an opportunity of defending himself, and I trust they will extend the same to me by instituting a full and *impartial* investigation of the alleged charges, and while giving full weight to the charges preferred by the Warden, that their weight shall only be estimated by the facts which may be established by evidence.

I have been fully aware that nearly ever since the opening of the Institution a junior officer of the prison has had the ear and confidence of the Warden, and has boasted that he would have me removed and secure my position; and am firmly convinced that the Warden has been largely influenced by his misstatements, and has been ordained in consequence to use his influence for my removal; but I had great confidence that no dismissal would take place without an inquiry into the facts, when I knew the truth would be made apparent, and the evident desire of the Warden to place in my position one who enjoyed more of his confidence would be overruled or otherwise.

I am fully aware of the importance of a good understanding existing between the Warden and his Chief Guard, and had the only ground for my removal been based on this fact, and been so represented to me by you, without the charges detailed above, it would have been different, but when I consider that as Deputy-Warden I conducted the business of the prison in such a manner during his absence in 1874 as to secure his unqualified approval, and again during his prolonged absence in 1875, with a similar result, and I believe also entirely to your satisfaction, and having given all those circumstances my mature deliberation I most respectfully and earnestly request that a full and *impartial* inquiry may be instituted and that I may not be allowed with an undeserved stain on my character which must necessarily prevent my securing other employment, upon which the welfare and comfort of my self wife, and family in such a large degree are dependant.

I have the honour to be Sir
Your most obedient servant,

JAMES BEAUMONT
Late Chief Guard Central Prison.

TORONTO, 30th March, 1876.

SIR,—I have the honour to acknowledge the receipt of your letter of 31st ult, which I have transmitted to the Hon Provincial Secretary for consideration and instructions.

I have the honour to be, Sir
Your obedient Servant,

MR. JAMES BEAUMONT,
Box 808 Toronto, P O

J W LANGMUIR,
Inspector

30th March 1876.

SIR,—I transmit herewith for your perusal a letter received from Ex-Chief Guard Beaumont.

You will observe that he denies most of the charges preferred against him.

You had better deal with the denials in the order in which they are placed and give instances. This report is asked for for the information of the Government not with a view of communicating its contents to Mr Beaumont.

I have the honour to be Sir

Your obedient Servant

The Warden, Central Prison, Toronto.

J W LANGMUIR,
Inspector

PROVINCIAL SECRETARY'S OFFICE, TORONTO,
March 29th, 1876

SIR,—The Inspector of Prisons has been instructed to send a copy of your letter to Capt. Prince, and when we receive his reply will determine what course to pursue

I have the honour to be Sir,
Your obedient Servant,

JAS. BEARDMORE, Esq.,
Box 505 Toronto.

S. C. WOOD,
Secretary.

Re Commutation of Ex-Chief Guard James Beaumont.

March 30th,

To the Inspector of Prisons &c.

SIR,—I have the honour to acknowledge the receipt of your letter of the 29th instant, enclosing a communication addressed to you by the late Chief Guard of the Central Prison. To this letter I shall send you a reply with as little delay as possible in the meantime I retain the letter without loss of time as deserved.

Your obedient Servant,
W S. PRINCE,
Warden.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C. OF ONTARIO
TORONTO 29th April, 1876

Re Ex-Chief Guard Beaumont.

SIR,—Referring to the communication of the dismissed officer addressed to you, asking to be furnished with the reasons why he was released from duty. I beg to state that I transmitted the letter to the Warden and I now have the honour to forward to you his reply, which affords an additional evidence of the necessity that existed for discharging Mr Beaumont from the Central Prison service.

Be good enough to return the letter for filing in this office

I am, Sir
Your obedient servant.
J W LANGMUIR,
Inspector

The Honourable Provincial Secretary

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO
TORONTO, 21st April, 1876.

To the Inspector of Prisons, &c.

SIR,—In reference to your letter enclosing a communication from the late Chief Guard, Central Prison in which he denies the truth of my representations as to his unfitness for office, from his intemperate habits and other reasons adduced by me I have the honour to inform you that the best proof in support of the correctness of my statement to you in the discipline, correctness and harmony that has pervaded every branch of duty since the 8th of last month the date of the late Chief Guard's removal but I shall deal with his denials seriatim and first as to his denial of intemperate habits:—Mr Beaumont has been frequently under the influence of Liquor which has been patent to every officer in the Prison Upon one occasion he was *sitting upon* a chair in the north corridor between 3 and 4 p. m. so much under the influence of liquor as to be closely observable, and remarked by the guards. Upon one evening whilst in this state, he had the prisoners

rung down from the corridors *therein mentioned* before the arrival of the evening gangs from the yard for the "evening census. Numbers of other cases could be enumerated, and witnesses produced in evidence thereof. But I may state, that on the evening previous to his removal (the 7th March), while taking the "evening counts" in my presence, the late Chief Guard was so much under the influence of liquor that had I not previously received the communications containing his dismissal, I should have suspended him, and dismissed him off the premises.

Neglects in not Reporting.—This he also denies. I have to state that the late Chief Guard never reported an officer since his appointment to office. The guards did in the guard room in his presence, whatever they chose, in defiance of my orders, he would walk up and down the guard-room, whistling and singing, of a night, so much so as to attract the attention of the corridor night patrols, while the guards would quarrel and wrangle in an unseemly manner without check. As I have stated in my report to you, he would, when on duty and in charge, leave the Prison and remain away for hours. Upon one night the Deputy Chief Guard, on returning to quarters at 7.30 p.m. (unexpectedly), as it was his evening on leave, found the hospital ball rung, further it was not replied to by the officer on duty (Mr. Beaumont), he himself went up and found that one of the patients had been taken suddenly worse. The late Chief Guard was not forthcoming, and did not return to the Prison till 9.40 p.m. just before lights out here as regards this practice, I can produce sufficient evidence to prove that it was constantly carried out, and so little regard had he for the discipline of the Prison and the execution of orders, that I have left for the city at 6 p.m. leaving the late Chief Guard as the officer in duty in charge for the evening and that he, as soon as I had gone, *left him*, so that the Prison was of an evening left without the supervision *of a single superior officer*. Orders were issued by me for all the guards to be paraded and inspected by the Chief Guard prior to their mustering duty of a morning, in order that he might see that they were properly equipped, and correct in every respect. This duty I forced was entirely neglected, and my question of this neglect originated in one of the guards having left a loaded pistol in the dormitory which had actually been taken possession of by a prisoner and had away by him in a cell, and this guard never reported the absence of this pistol for eighteen hours, so that the Chief Guard know anything about it. Upon another occasion, Prisoner Guard Henry Laugman who was one of the guards for said duty on the morning of the 7th of June last year was passed by the late Chief as correct and fit for duty when he was drunk and *unfit for duty*, and his being in this state was accidentally discovered by the Deputy Chief Guard on his proceeding to his post, and Guard Laugman was dismissed. The late Chief Guard remarks "That he cannot recall any case of neglect which an officer on his position was justified in exercising and also states that if he had reported all the ups during his service, scandals might have been brought to notice which for the credit of the Prison, he deemed it his duty to suppress. My orders to him, from the day he was sworn in, were that all things connected with breaches of discipline and the rules and regulations of the Prison were to be reported to me by him personally. I have continued him time after time upon carrying out this order to the very letter and to be most particular in observing and reporting to me upon the conduct of the officers in the guard-room. If he had obeyed these orders the scandalous behaviour which was afterwards of mind upon four occasions—such as smuggling liquor into the Prison premises, tippling, intoxication, and the use of foul language, coupled with other conduct unbecoming the character of Prison guards—could never have taken place; all this the late Chief Guard must have been cognizant of the performance of many in stance ing place under his own eyes and that he attempts to gratify himself in the suppress an of the information from me.

Irregularity in keeping Register.—The two cases in point quoted in my communication are sufficiently glaring to admit of no denial these cases were never reported to me by the late Chief Guard Upon my charging him with neglect in causing Lynch to be discharged before his time, he stated that it was the fault of the Bursar who endorsed the convictions and cases for the register as he (the late Chief Guard) was transferred. Now the register is wholly in the late Chief Guard's own hand writing, and the entries must have been made from the copies of the convictions and transfer returns to the Bursar had nothing to do with making the entries in the register book. The Prison Clerk alluded to

by him was brought into my *office to assist the Turnor* in making up his books and accounts; this prisoner had nothing to do with the late Chief Guard or with the books and returns then it was his duty to keep and make up, and which a couple of hours application a day on his part, would have sufficed to have kept filled up, and correct. Another instance of these irregularities (to use the mildest term) has come under my observation during *the last fortnight*, in consequence Stephen Cullen, being registered to be discharged on the *7th of April*, whereon on reference to the copy of conviction, I found it to be the 27th April, on communication of the register copies, the scratching out of the 2 before the 7 is as clear as noon-day.

Observation.—To show you what little dependence I would place upon him, and his desire to obstruct me in future entailing great annoyance to me as "Warden," I have to state, that on a Saturday I informed the Bursar that it was my desire that he should be present at the measuring of the stone, and that information should be sent to him when a pile was in readiness. The Contractor (Mr. Cousins) came into my office on Monday morning stating to me that the Bursar has left his office; and expressed a hope that I would allow him the first thing Monday morning, to commence and haul away from a pile of stone that was in readiness for measurement, and that he would come up early on Monday when the Bursar was present and have the pile measured, accounting for the loads that had been taken away. I complied with his request and made some of the Convict *per-sonally attend us in the presence of the Contractor*. Upon Monday morning at 8 10 a.m. I was out in the front grounds conferring with the Deputy Chief Guard upon steps to be taken for the protection of another shoot, which the rise of water threatened. I shortly afterwards went into the office and remained there till 10 a.m. I then returned to my quarters till 10 30 and during that time noticed the contractor driving out through the front gate. Immediately afterwards I remarked to the Chief Guard that the contractor had been here. He replied yes, *my he came to see the Bursar*, as he could not take away the stone in his absence and the Bursar has not come. Shortly after I discovered that the contractor had naturally enough asked to see me, when Mr. Cousins most kindly informed him *that the Warden did not wish to be disturbed*." I have recently found out that he frequently replied to gentlemen coming from the City and Yorkville, to see me, in the same term. The late Chief Guard complains that a subordinate officer *had my confidence*. True, the Deputy Chief Guard had my entire confidence which was increased from Mr. Beaumont a few months after the latter had been sworn in as I soon found out that the late Chief Guard was not to be trusted, and well has Mr Stedman fulfilled the trust reposed in him for by his watchfulness, prudence and energy in the discharge of duty he has rendered me very important service, counteracting to a great extent the evil influences upon the welfare of the Institution endangered through the appointment of such a character as the late Chief Guard, to exist a position of trust. In the beginning of last year when there were about 230 prisoners in the Central Prison, and no employment for them but drill, and but few guards, a report was circulated that an attempt would be made to escape, and that assistance was expected from outside of course I felt very uneasy especially as having so large a number of prisoners with no employment to keep their minds occupied. Upon my making the Prison at a late hour one night, and passing through *my office* I happened to open the drawer of a little table which stood against the south window, to look for a pencil this drawer was not locked, and you may imagine my surprise when I discovered lying in this drawer the keys of the "Prison Proper" so that any one might have opened the window which is not barred, taken the keys, entered the Prison, and attacked the south corridor night guard. This culpable or perhaps wilful negligence, the late Chief Guard had been in the habit of committing for nights before it was discovered. Since the man removed the general management of the duties of the Central Prison has been conducted most satisfactorily to me, the strictest discipline combined with humanity prevailing in every branch of duty under the Executive Administration of Mr. Stedman, the Deputy Chief Guard, assisted by Guard Edwin Newton, an intelligent retired Non-Commissioned Officer of the Royal Artillery

I have the honour to be, Sir

Your obedient servant,

W. S. Prince,

Warden.

Box 503 TORONTO, 3rd May 1876.

The Hon. S. C. Wood,
Provincial Secretary.

SIR,—Referring to the contents of your letter of the 24th March last, I beg to draw your attention to the fact that I am still waiting the result of your communication to the Warden of the Central Prison

In my letter addressed to you on 21st March, I begged you would grant me an investigation into the alleged charges that formed the ground of my dismissal

I never respectfully renew that request, accompanied with the hope that it may take place at an early date

An additional inducement exists for me to urge this request, in the fact that it has come to my knowledge that Captain Pyke has made scandalous and unjustifiable assertions about me, and my only reason for not taking legal notice of the same directly it came to my notice, was the fact that I was led to hope that an inquiry would take place into the truth or otherwise of the statements that brought about my unexpected and in my opinion undeserved dismissal.

I have the honour to be, Sir,
Your obedient servant,
JAMES BEAUMONT

PROVINCIAL SECRETARY'S OFFICE, ONTARIO
TORONTO 10th May 1876.

SIR,—With reference to your letter of the 3rd inst. I have now the honour to transmit herewith copy of the charges preferred against you by the Warden of the Central Prison, Toronto, when acting as Chief Guard of the said prison.

I have the honour to be, Sir
Your obedient servant,
I. R. ECKLER,
Assistant Secretary.

Mr James Beaumont,
Box 503, P. O. Toronto.

BOX [illegible] TORONTO, 13th May 1876

The Hon. S. C. Wood,
Provincial Secretary

SIR,—I have the honour to acknowledge the receipt of your letter of the 10th inst. enclosing a copy of the reply of Capt. Pyke to my previous statements on the subject of my dismissal from the position of Chief Guard of the Central Prison and in reply I beg to state that the charges preferred therein are quite capable of being disproved by documentary or oral evidence, before any impartial tribunal, their falsity proved and the animus which prompted them made clear

Among the reports suppressed with which the Warden charges me was that of a guard in charge of a gang of prisoners, who complained that he (the guard) was unable to control his men, and keep them from laughing and talking in consequence of the Warden appearing before them in plain clothes, with his hat on the back of his head, and as much under the effects of liquor as to become the laughing-stock of all in sight.

With this, as one example of what can be established on a proper inquiry I beg, in conclusion to state that when I removed my appointment, it emanated from the Government, and not from the Warden and I did not for a moment suppose that they would allow my dismissal and my character to be vilified on the unsupported statements of any individual, with such an opportunity being afforded of proving their correctness.

A reluctance to believe that such would be the case, has led to my remaining under the stigma so long as I have, in the hope that I would be afforded the opportunity of disproving the accusations made against me, without bringing the matter before the public.

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As, however two months have now elapsed and still feeling that the measure adopted to secure and the mode of carrying out, my dismissal, were in variance with the Statute and the rules laid down, I again most respectfully but earnestly urge that a full and impartial inquiry may take place and that I may be allowed to *employ counsel* to assist me in the examination of witnesses to prove the incorrectness of the charges made and vindicate my character which has been so cruelly traduced, as to prevent me either obtaining any other of the vast number of situations of which the Government have control or obtaining employment in any respectable house of business in a city in which it is my desire with my family to remain. I respectfully ask the favour of an early reply to my request for an investigation, and on the conditions named above, failing the receipt of which I cannot be blamed afterwards, for taking such steps as I may deem best, to remove the stigma cast upon me, even if it should be the means of bringing to light many things, which for the interest and credit of those concerned, would be better to remain in the shade.

I have the honour to be Sir,
Your most obedient servant
JAMES BEAUMONT

PROVINCIAL SECRETARY'S OFFICE, ONTARIO
TORONTO 15th May 1876.

SIR.—I am directed to acknowledge the receipt of your letter of 13th instant, and to inform you in reply that your application for an investigation into the charges made against you when in the capacity of Chief Gaoler of the Central Prison will be granted and a date for holding the same fixed on the return of the Inspector of Asylums from his present tour of inspection.

I have the honour to be, Sir
Your obedient servant,
I. E. ECKART
Assistant Secretary

Mr JAMES BEAUMONT, Toronto

BOX 505, TORONTO June 7th, 1876.

The Hon S. C Wood,
Provincial Secretary

SIR,—Referring to your letter of the 16th ult. informing me that an investigation into the truth of the charges preferred against me by the Warden of the Central Prison would be granted I have the honour to request that the said inquiry may take place at as early a date as practicable, and that I may receive due notice of the day fixed.

I have the honour to be,
Sir
Your obedient servant,
JAMES BEAUMONT

BOX 505 TORONTO July 3rd, 1876

The Hon. S. C Wood
Provincial Secretary

SIR,—I have the honour to draw your attention to your communication to me of the 16th May last informing me that an investigation should take place on the return of the Inspector from the present tour into the truth or otherwise of certain statements made by the Warden of the Central Prison which formed the grounds for my dismissal from the post

ten at Chief Guard without any opportunity being afforded, of refuting the charges made against me.

I beg now most respectfully to state, that I have hitherto refrained (to my own disadvantage), while waiting the promised inquiry, from seeking other employment, and as I can not afford to do this much longer I respectfully request you will at once adopt such steps as you may deem expedient to bring my case to an issue without further delay in reminding you that it is now four months since my first appeal.

I have the honour to remain
Sir
Your obedient servant,
JAMES BEAUMONT

BOX 666 TORONTO, October 8th, 1874.

The Hon. S. C. Wood,
Provincial Secretary.

SIR,—Referring to previous correspondence and our conversations on the matter of my dismissal from the position of Chief Guard of the Central Prison and particularly to my letter of the 13th May last, in which I request the privilege of employing counsel on an investigation. I beg to state that having duly considered your promise to personally conduct the same whenever it took place, and having also consulted friends in whom I have the most implicit confidence, I am fully impressed that the interests of justice and myself will be equally attained by leaving the matter entirely in your hands.

I will therefore abandon the idea of employing counsel and trust you will give this subject your attention as early as convenient.

Your obedient servant,
JAMES BEAUMONT

INVESTIGATION INTO CHARGES MADE AGAINST JAMES BEAUMONT LATE CHIEF GUARD OF CENTRAL PRISON

13th October, 1874

WILLIAM STRATTON PRISON SWORN.—As Governor of the Central Prison I was appointed in July 1873 formerly for fifteen years chief of police for City of Toronto.

As far as my memory serves me, Mr Bear most never reported to me. He may have done so on a few occasions. The Deputy Chief Guard made the reports.

Things came out in the investigation held by Mr Langmuir in the fall of 1873 which proved that Mr Beaumont was cognizant of conduct detrimental to the interests of the institution such as wrangling and quarrelling on the part of the guards and did not report to me. I may state that he never reported an officer to me. The guards did in the guard-room in his presence just what they chose such as walking up and down the guard room, whistling, singing at night. He himself would also do this, the guards wrangling in an unseemly manner without check leaving the Prison for hours together when in his charge. One night the Deputy-chief Guard was returning to quarters at half past seven, unexpectedly as he was coming off leave. The hospital bell rang and he, finding it not replied to by the officer on duty (Mr Beaumont), went up himself and found the patient much worse.

I put in letter marked " A " containing the statement just made as well as other charges and would state so far as want of discipline in the guard room is concerned, they were reported to me by others.

On the evening of the 7th March last, while taking the evening round, I considered the Chief Guard to be so much under the influence of liquor that if I had not reported his dismissal I should have suspended him. I considered the Chief Guard under the influence of liquor past one o'clock in the morning, on the occasion of the commitment of prisoner Spackman on 28th September, 1875. He was instructed to have relieved the Deputy Chief Guard at midnight. I found that it had not been done and I went for the purpose of finding out

where the Chief Guard was. I found him asleep on his bed; I called him up and sent him to duty.

I questioned the Deputy Chief Guard as to the cause of his leaving without being properly relieved. He stated he had called on the Chief Guard, and would get no answer; he said the Chief Guard was lying on his bed. When I say under the influence of liquor, I do not mean that he was incapacitated for duty; not that, as Chief Guard, he should not have been in the state I found him. I have impliedly noticed that Mr. Beaumont was under the influence of liquor on the day before, but he was not drunk. It came under my notice that he would at times leave the prison keys in the office, instead of being placed in the armoury. I found the keys one night in the drawer in my office, and the drawer not locked.

Statement "A" "put to by me, is correct so far as matters came under my personal notice; and when it comes to matters not coming under my personal observation, is correct as reported to me.

W. S. PARSON.

RICHARD STEDMAN, sworn.—Am Acting Chief Guard; held the position of Deputy Chief Guard up to 6th March last. I have seen Mr. Beaumont under the influence of liquor several times. The first time I saw him was at mid-day meal, about seven or eight months after the Prison opened. I went up to my room to find the Chief Guard, and found him lying on the lounge in the room. I asked him what was the matter, and he replied he felt sick, and told me to go to the Hospital and get the Hospital Guard to give him something. I can't say what it was, I thought it down and gave it to him, put a rug over him, and he [illegible] sleep. I judged by his manner of speaking, the appearance, and the smell of liquor, that he was intoxicated.

Another time, in June 1875—I cannot give the date—he was sitting at the corridor as I passed through. Mr Newton was present. I thought Mr Beaumont was intoxicated and called Mr Newton's attention to it. It was between three and four o'clock in the afternoon. The night that prisoner Spackman hid himself away in September 1875. I was then at midnight in his bedroom lying on his bed. I went up to him and spoke to him. He sat up in the bed and said he would be out in a minute and relieve me. thought he was intoxicated from his appearance and the smell of liquor. I have seen him several times more or less under the influence of liquor generally towards the evening.

On one occasion last year. I can't state the day or month—he rang the prisoners down from their cells to tea at twenty minutes to six. His appearance at the time indicated that he was intoxicated.

The rules and regulations put in—marked "B" were approved of 1st June, 1874, and the rules do. marked "C" were approved of 10th April 1875. I have heard whistling and ringing in the guard room several times, and have heard Mr Beaumont himself whistle and ring in the guard-room. I have reported several times for ringing and whistling on the part of the guards. Latterly I ceased reporting as nothing was done to stop it. I have frequently when in my room heard the guards singing and talking loud in the guard room. Mr Beaumont being present and on duty. I don't know that I knew the guards to dismiss prayers in the guard-room in Mr Beaumont's presence. Guard Wall came home drunk one night, I cannot state the time and was not reported by Mr Beaumont. Mr Beaumont was in the guard-room and on duty when Wall came in. Wall was so drunk that he got up and made his water on the bed next to him. On the afternoon of the 15th July 1875 I came through the corridor and found a prisoner named Newbold under the influence of liquor. I told him to go up to the hospital. He refused to go, stating that the Chief Guard told him to stay down. I then put him up to the hospital. I reported him to Mr Beaumont as being drunk. Mr Beaumont ordered him to be placed in the dark cell until the return of Captain Prison. I was my night off duty and when I came back I was told by one of the guards that Newbold had been taken out of the dark cell up to the hospital. I spoke to Mr Beaumont about it the next morning and said I did not think it was right. He told me that he was Chief Guard and that I had nothing to do with it. I told him I would see the Warden about it. I spoke to the Warden about it, who ordered Newbold to be placed 16 hours in a dark cell for that and another offence, which other offence was fighting with prisoner Stanton.

At different times, I have when off duty and Mr Beaumont supposed to be on duty known the guards to be absent who should have been on duty for how long, I cannot say. On night

at ten minutes past nine, I saw Mr Beaumont, who should have been on duty, Guard Daugherty and Guard Bolland coming out of Hospital Square; I cannot remember the day or month. It was a week a month or two before Edward was discharged; I did not report it.

Adjourned until 2 P M.

Resumed at two P M — Evidence continued.

R. Eyemann — I came home one night in April, 1878; I heard some knocking on street at the hospital gate, and finding it continue, I got up. I went to the hospital and found prisoner Public Williams, who had taken an overdose of medicine, lying on the floor. I went to the guard room to find the Chief Guard Mr. Beaumont; could not find him in the guard room. I then went to the office and he was not there. I then went back to the prisoner and got him on to the bed; between half-past nine and ten Mr Beaumont and the hospital guard came to the hospital. Mr Beaumont should have been duty that night, as it was his night on, and my night off. When I came home there was no officer in charge owing to Mr Beaumont's absence.

I have frequently come home at nights, when Mr. Beaumont should have been on duty, and ever that I was absent. I know he was not up as he would afterwards come into the prison. This would take place sometimes when Captain Prince was away. On the sixth June, 1878, I reported Guard Henry Longman for having arrived without leave, and for having unfit for duty from the effects of liquor. The entry in the officers' misconduct book now produced, was made by Captain Prince on my report. The Chief Guard had passed him, Longman as he by duty and directed him off for duty. Guard Longman came to me with his cuffs in his hand and said he was not fit for duty, that if he went on he was sure he would fall off. He was not sick, he was drunk, he had been out all night. Mr Beaumont came to my room, I told him that Longman was drunk. He called him back to the guard room and think he sent another guard in his place. I reported Longman, and he was dismissed for being drunk.

Orders issued by Captain Prince are written in the order book, and the rules require they should be read to the Guards by the Chief Guard. On several occasions this was not done. I cannot name them now except one, when Guard Newton was taken into place during my absence on leave. That order I was informed by Guard Newton was not read. I have seen the keys lying in the drawer in the office and the drawer not locked. Keys leading into the prison proper and from there out into the yard. I did not report it. The keys were not in my charge and having been told by Mr Beaumont on other matters that it was none of my business, I did not interfere with the keys. At the evening count, the keys are collected by the corridor guards before the Chief Guard and then placed in the armoury. As asking Chief Guard my duty is to see that the proper set of keys and all other keys are locked up in the armoury. About the 12th January 1878, prisoner Page was about being discharged and I discovered that his time was not up— from Guard Gifford. I reported to Mr Beaumont, and on examination of the register he found that his time was not up and sent him back his time was up on the 30th January 1878 and he was discharged on the 30th, and Guard Gifford called my attention to fact that prisoner Lynch was discharged before the expiration of his sentence. The entries in the register and the prisoners discharge book now produced, shewed that prisoner Lynch was discharged at the expiration of his sentence, are incorrect. The copy of sentence now produced shows that he was to serve eight months from the 21st May 1878 and should have been discharged on the 20th January 1878 and should not have been discharged on the 7th. Prisoner Stephen Collins was entered in the register book as sentenced for two years, and that term would expire on the 7th April 1876; the copy of sentence now produced shows that his sentence was terminated on the 27th April 1876. I have found several irregularities in the Register

Cross examined by Mr Beaumont

It was the custom when Mr Beaumont was Chief Guard, and is now five minutes before the gangs are marched out to bring the prisoners down who may be in the corridors. I have no recollection of ever having entered Mr Beaumont's name on the Report Books. I don't know of any order in existence requiring the Chief Guard to remain in the guard room during the time he is in charge of the Prison. The Bursar keeps the keys of his own department; the Warden has three keys one for the outside gaiters gate, one for

blind door inside the quoted gate, and one for the door leading from the dining hall into the yard; these keys are not locked up in the armoury, but are kept by the Warden.

Page was admitted into the Prison on 3rd February, 1876.
Lynch, on 26th May 1877.
Collins, on 3rd June, 1874.

RICHARD H. SEEDMAN.

EDWIN NEWSON sworn.—I was appointed Guard 8th July, 1874; have acted as Deputy Chief Guard since 8th March, 1876. About September, 1875, Mr. Beaumont came into the north wing and met Mr. Seedman and was talking about some matters connected with the north wing. Mr. Seedman came in, and in a few minutes afterwards Mr. Beaumont went out; after he went, Mr. Seedman remarked to me that Mr. Beaumont had just absent as much as he could carry; I did not see anything in Mr. Beaumont's appearance or in his conversation that would lead me to believe that he had got as much as he could carry, or that he was intoxicated.

I recollect the prisoners were formed up one day about twenty minutes before the regular time; I saw Mr. Beaumont before six. I thought he was sober; he was certainly confined, and there seemed to be something wrong.

Crime examined by Mr. BEAUMONT.—Since I came to the Prison, up to March, 1877, when an investigation took place, I never saw any signs of drink on Mr. Beaumont; after that, I did, at different times, see signs of drink on him; but it is my opinion he was always at his duty. I could not see any difference, so far as his attention to prison duties were concerned. I have never known that Mr. Beaumont absented himself from the Prison when he ought to be on duty. The evening before Mr. Seedman went away on leave, Mr. Beaumont came to me and said the Warden had put me in orders to perform Mr. Seedman's duty during his absence and that, in addition, the Warden required me to take charge of the north wing. I have never, myself when not in the guard room, heard Mr. Beaumont either singing or whistling in the guard room. I have when in the guard room, heard Mr. Beaumont, himself him humming a tune and whistling but not loud and not to interfere or disturb any one in the guard room or prison. I don't recollect that Mr. Beaumont neglected at any time to collect the keys at evening comm.

E. NEWSON

DANIEL CUNNINGHAM sworn.—I am cook and baker of the Central Prison. I was appointed on 6th May 1875. I remember the Warden being called away to attend his brother's funeral in July last. The night the Warden was expected home I saw Mr. Beaumont standing first at the Warden's door and then at the south door of the Prison; I thought he was under the influence of liquor. I did not speak to him. I judged from his appearance. I cannot state the time; it must have been after eight o'clock in the evening.

D CUNNINGHAM.

DANIEL KIRKPATRICK, sworn.—I am Prison Guard. I was appointed on the 11th September 1871 on the 12th February 1872 I saw the late Chief Guard about 8.30 pm he was strongly under the influence of liquor; he was on duty his appearance and manner led me to believe him strongly under the influence of liquor a little before ten, the same evening I saw him and he was drunk. I saw him go into his bedroom and he staggered he should have received the keys from me and other guards, but did not. Guard Dear assumed the keys, no person but Guard Dear was present. I never saw Beaumont drink any liquor in the Prison grounds. I have seen Mr. Beaumont at the front gate of the grounds when on duty. I have seen him go out of the building when he was on duty but whether he absented himself, I cannot say

CROSS-EXAMINED by Mr. BEAUMONT

I don't remember of hearing Mr. Beaumont whistling. I and it was the duty of the Chief Guard to receive the keys at night. I judged so as it was the constant custom then and it is still.

DANIEL KIRKPATRICK

SAMUEL DEAN, sworn.—Am Prison Guard, was appointed in May, 1875; I remember the 12th February, 1877. I saw the Chief Guard that night: I was guard on duty in the guard-room, at ten o'clock at night I went to Mr. Beaumont's room and found him in bed and asleep; I tried to wake him; I wanted to tell him I was going to look up the front doors; he did not wake me; I then went down and locked the front door and then returned from Guard Kirkpatrick the key of the south corridor door and locked the grated door and kept the key. I went to go into my own room, and by that time Mr. Beaumont was up, and he stood in the bathroom door and he asked me if I had locked up. I could not say whether he was under the influence of liquor or not; I saw Mr. Beaumont on the 21st June, 1875, on the day of the escape of the prisoner from the rear grounds; Mr. Beaumont was on duty: I saw him after ten at night. I was south corridor Guard at the time; I thought he was under the influence of liquor; I judged so from his general appearance and conversation; that night Guard Hardie, who was night guard, was out of the Prison. I let him in at half past twelve: when the bell rang, I thought it was the Bank, with prisoners, and going down, found it was Hardie; he should have been on duty from six p.m.; I did not know he was out until I saw him at the door.

Cross-examined by Mr. BEAUMONT:

I never knew Mr. Beaumont to whistle or sing in the guard-room to such an extent as to disturb the attention or disturb the service. I never heard any swearing or quarrelling in the guard-room when Mr. Beaumont was present, during the time he was Chief Guard.

S. DEAN

Adjourned till 10 30 to-morrow

Investigation re-opened, Tuesday 31st October 10.30 a.m.

Mr Beaumont called Captain Prince—Captain Prince produced officers' offence book, in which on 12th June, it appears that Chief Guard Beaumont reported the following officers —1st. Alfred Elliott 12th June, 1872. 2nd Michael English on the 28th October 1874. 3rd. William Dougherty 7th October 1874. 4th. Daniel McCarty Stewart, 24th October 1874 also, same person 25th October, 1874. 6th George Mullen February 13th 1878. John Powell, 19th February 1876. Michael English, 28th June, 1878. Order book produced. In order issued 12th April, 1876 the following order appears: The Chief Guard shall reside upon the premises, occupying the room set apart for him in the guard room which is the south room.

The following rules appears under date of August 17th —"Persons are not to be allowed to loiter and sit about the prison grounds and cells, with a view of seeing the Warders or Prison Officers in case the presence of the officer inquired for is not at the time available, the inquirer is to be instructed by the guard to leave a message or memorandum as to his business, and then leave.

W. S. FRENCH

WILLIAM HARDIE sworn.—Am night guard and stoker for the Central Prison was appointed two months after the prison opened. I remember the 21st June 1875 when three prisoners escaped from Guard Mansell. I was sent by Deputy Chief Guard up to the field to assist in finding them. I joined the Wardens party on the other side of the field. The Warden instructed me to proceed after them and that he would secure and search an orchard close at hand. this was between seven and eight o'clock in the evening. I returned to the prison about 10 o'clock.

WILLIAM HARDIE.

WILLIAM GIFFORD, Guard, sworn.—Am Prison Guard, I was appointed at the opening of the prison. I never heard the Chief Guard whistling or singing in the guard room in such a manner as to disturb the guards. I never knew Mr. Beaumont when on duty to allow quarrelling and struggling amongst the guards. I remember one occasion in which a pistol was found in a prison cell. I paraded that morning with a

period. I had Guard Unlacke's pistol. About ten minutes after the parade, I went to Mr. Beaumont and told him the pistol found in the cell was mine. It is the custom for the Chief or Deputy Chief when on duty to lock the front gate of the grounds at night. I remember the guards giving a party at the Fort; Mr. Stedman was present, he was the officer on duty that night.

WILLIAM GIFFORD.

HENRY EAMES, sworn.—As Prison Guard, was appointed at the opening of the prison. I never knew the Chief Guard to whistle or sing in the guard-room in such a manner as to disturb the guards. There was wrangling at one time between Mr. Stedman and Doherty but the Chief Guard was not present. I never saw any wrangling when Mr. Beaumont was present. It was the custom of the Chief Guard or Deputy Chief Guard when on duty, to lock the front gate of the grounds. The locking of the corridor gates was often left by the Chief Guard and Deputy Chief Guard to the guards on duty in guard-room (in such cases the keys were taken to the armoury; the small keys taken to the Chief or Deputy Chief Guard), and a report made that all was locked and correct. I never saw the Chief Guard unfit for duty through drink

H. EAMES.

FREDERICK HILL, sworn.—As Prison Guard; was appointed about March, 1876. I never knew the Chief Guard to whistle or sing in the guard-room in such a manner as to disturb the guards. I never knew the guards to quarrel or wrangle in the guard-room when the Chief Guard was present, only [illegible] and. It was the custom of the Chief or Deputy Chief Guard to look up the gate at the front of the grounds when on duty. I never saw the Chief Guard unfit for duty through the influence of drink.

FREDERICK HILL.

HAMILTON LYONS sworn.—I am gate guard. I was appointed at the opening of the Prison. I never heard Mr Beaumont whistle or sing in the guard-room in such a manner as to disturb the guards, whenever there was any wrangling in the guard-room, if Mr. Beaumont was present he checked it. I remember the 7th March last, Mr. Beaumont paraded Wall Guards as usual on that occasion he was not the worse of liquor I never saw him the worse of liquor

HAMILTON LYONS

THOMAS STOCKE sworn.—Am Turnkey for the Central Prison was appointed at the opening of the Prison. Up to about April, 1875 I computed all the sentences. I entered them in penal [illegible] book and also made an entry on the back of the papers, from the entries made by me in period Mr. Beaumont copied into another book in ink. we frequently compared them. I made the entries from convictions any information contained in the convictions I entered. I entered the termination of sentence as being the same day of the month as the date mentioned in the sentence. I was directed that the sentence must be made one day sooner which caused several errors in the book

THOMAS STOCKE

Adjourned till 4 p.m.

Resumed at 4 p.m.

CAPT FRISBY, Warden of the Prison, re-called.—The copy of a letter to the Inspector from me bearing date 17th April 1876 and marked "C" now put in

(Copy of Letter marked C.")

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, April 17th, 1876.

SIR —I have the honour to inform you that upon my discharging prisoner James Brown on the morning of the 15th inst. the sum of $18 belonging to the prisoner and which was supposed to have been placed with the purse and pocket-book in an envelope, by the late Chief Guard in having endorsed the envelope to that effect, was not forth-

coming. [Endorsement]—Received $18, the property of discharged prisoner Jas. Brown (not forthcoming). James Brown was transferred from London Gaol to the Central Prison, on the 21st August 1874, and at that time Mr Short registered the prisoner's property and having handed it over to the Chief Guard this latter placed it in a parcel or envelope, and after endorsing the same, deposited it in the safe. From the mouldy appearance of the package, it is evident that it has not been opened or moved, since it was placed in the safe and it is also very evident, that although the envelope was endorsed by the late Chief Guard as follows:—

"No. 262. James Brown, leathern pocket-book 2 purses, $18.65; the $18 were *never placed* in the envelope. He (James Brown) being a two years' man, I of course paid the owner $18 and I trust, under the circumstances, the Government will authorise my being reimbursed."

Your obedient servant,
W S Prince,
Warden.

Which contains a true statement of the facts alleged therein. Mr Stedman went to the safe for the package referred to in letter C. I was in the office at the time it was all covered with mould and three or four inch cockroaches round it. I saw it opened

Cross-examined by Mr Beaumont.—It is not necessary for Mr Stedman to open the various packages belonging to prisoners in my presence when they are discharged but he always knows it to me. I always see the money there were no money packages given out, so far as I recollect, between 8th March and 16th April

W S. Prince,
Warden.

Thomas Short recalled.—I remember the prisoner James Brown. I always counted the money found on prisoners. I remember counting the money found on James Brown. I placed it in the package after counting it. $18 bill 65 cents American scrip, 3 cents silver pocket-book in it my hand writing. The other writing in Mr Beaumont's the book produced in the prisoner's property and receipt-book is me at that date. the entry 263 James Brown two leather pocket-books, $18 bill 65 cents American scrip, 3 cents American silver was made by me. I put the package as it on box I had for the purpose, and locked it up. in January 1876 there was an order for me to hand over all prisoner's property to the Warden and I complied with the order. I took the book and handed it over to Mr Beaumont, package by package. I can say that I opened this particular package on delivery to Mr Beaumont. I am satisfied the money was there when I handed it to him. I have no doubt.

Thomas Short

Captain Prince re-examined.—I have no doubt the package could not have been opened within six months of the time I saw it, as it was all covered with mould and by taking off the rubber bands the marks were well defined.

W S. Prince.

Mr Beaumont states that he got the package referred to from Mr Short. that he has no doubt the money was in it at the time he has not seen the package since. said to-day he did not touch any of the packages received from Mr Short unless the prisoner owning the sums was being discharged he put all the packages received from Mr Short in the safe, and believes they were there when he left.

Attest
S C. Wood.

Captain Prince, recalled.—Had I known there was any large sum of money I would have checked the contents of the package with the book at the time Mr Beaumont left

W S Prince
Warden.

Richard Stedman, sworn.—I searched for the money registered as belonging to prisoner James Brown at the time of his discharge previous to this, I know nothing

about the money the first I heard was when he was leaving this was the first money of any consequence that was asked for by any prisoner after Mr Beaumont left, up to that time, except now and then a few cents the package was searched and bore the appearance of not having been opened for some time I have never received instructions to write for money and there has been no money to write for that I know of since Mr Beaumont left Mr Newton and myself had charge of the key of the safe, Mr. Newton only having charge during my absence

RICHARD H STEDMAN.

CAPT PETRIE, recalled —I put in letter marked "D"

(Copy of Letter marked "D")

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO
TORONTO 8th May 1876

To the Inspector of Prisons

SIR, I have the honour to report to you the following information obtained by me connected with the sum of $12 87 the property of prisoner Frederick Willis, which is missing, since the dismissal of the late Chief Guard prisoner Frederick Willis stated that there was $12 87 belonging to him the person being aware that the sum of only $1 00 was in his possession at the time of his transfer which was duly registered in the proper book I referred to that book and found a memorandum in pencil inserted underneath the original register as follows, A parcel from Hamilton" This must have been written some months after the transfer of Willis The parcel not being forthcoming but only $1 00 as registered I sent for the prisoner Willis who made to me the statement annexed, and marked "A" after getting this statement I wrote to the police officer who arrested him a copy of which letter is herewith annexed and marked "B" to which communication I received the following replies marked respectively "C" and "D" I recollect the late Chief Guard applying to me for leave to proceed to Hamilton one day and advised to obtaining information about a prisoner named McCulloch who had made his escape. In the interest of justice the case Beaumont should be prosecuted, and I think the best mode of proceeding would be for the present Will is to lay an information against him before the Police Magistrate, upon a charge of embezzlement, or for larceny. both stealing, taking, and carrying away

I have the honour to be, Sir
Your obedient servant,
W. S. PRINCE,
Warden.

It was addressed by me to the Inspector on the 5th May 1876 contains a true statement of the facts alleged thereon The letter marked "E" now put in :—

WARDEN'S OFFICE, CENTRAL PRISON
May 1st, 1876.

To M J McMenery Police Force, Hamilton.

SIR,—I shall feel obliged by your informing me under what circumstances did Mr Beaumont, the late Chief Guard of the Central Prison receive a sum of money from you in February 1875 the property of Frederick Willis? Whether you paid it to him personally and if so, when did the payment take place, and whether he applied to you for the money?

Be good enough to inform me of the particulars of the case?
Your obedient servant,
W. S. PRINCE,
Warden, C P

Is a true copy of a letter I addressed to Sergeant McMenery on the 4th May 1876 The letter marked "E"—

HAMILTON May 2nd 1876

Capt Prince. Central Prison, Toronto.

SIR,—James Beaumont, Chief Guard, Central Prison, called at this office on the 9th February 1876, and told me that he was authorized by Fred. Willis to get from me this money and other property I had belonging to him (Willis). I gave Mr. Beaumont twelve dollars and eighty-seven cents, and some other small articles of Willis's for which I took Mr Beaumont's receipt, which is attached to the receipt book in this office.

I remain, yours respectfully,

A McMENEMY

In the reply I received from Mr McMenemy and the copy of a receipt—

"Received from A. McMenemy $12.87 purse and pair of tweezers property of Fred Willis.

JAMES BEAUMONT
Chief Guard, Central Prison.

8th February 1876."

In the one referred to as Mr McMenemy's letter and was enclosed in his letter Statement now put in marked "F"—

"Frederick Willis, prisoner Central Prison, states as follows —

"Two Detective Police Officers arrested me in the Market Hotel Hamilton on the 13th August, 1874. They searched me in the Hotel and took from me a small leather wallet containing $12.87 This officer took possession of it and stated they would forward it to the gaol. I was transferred to the Central Prison with one dollar on my person I mentioned the fact of the police having my wallet and money to the officer in whose charge I was transferred (Mr Sheehan) Shortly after my arrival at the Central Prison I spoke to Mr Beaumont about the money He said he would write for it. After some weeks had elapsed I spoke again to Mr Beaumont, who stated that he had not received the money but that he would write again A few days after this Mr Beaumont told me that the Chief of Police at Hamilton had the money and that it would be forwarded here and in about a week after the information Mr Beaumont told me in the dining hall that he had received the money

"F P WILLIS"

was made by prisoner F P Willis, the owner of the money while a prisoner I think It was the acting Chief Guard who stated that Willis was complaining that money had been kept from him and knowing that only one dollar was found on Willis at the time he entered the prison, I sent for him and the result was the investigation I never heard of the money until this summer and never gave any instructions to Mr Beaumont to go to Hamilton to get money nor to write for my money I never received by express or mail any money for Willis don't remember ever receiving any money by mail from a Court or a police officer for a prisoner

I know by the register that there was a dollar belonging to him and on opening the package found the dollar I produce the prisoner's property book in use at that time in which the registry No. 261 Frederick Willis, bill one dollar (in ink) then beneath in the writing of Mr Beaumont, I think in pencil, the following —" and parcel from Hamilton. (I never saw the parcel)

W. S. PRINCE.

MR BEAUMONT states.—I received the money placed in the safe with the envelope containing the one dollar as registered the packet was neatly done up the date I received the packet was 8th February 1875 I made the entry on the property book in pencil to distinguish it from the entry made by Mr Short the statement by prisoner Willis is correct in every particular at the time Willis told me about the money being in Hamilton I requested it to the Warden who told me to write for it. when I got the money I must have requested it to the Warden —I can almost swear to it.

(Attested) S. C. WOOD.

RICHARD BURNHAM recalled.—Some time after Mr. Beaumont left, prisoner Willis told me to give a prisoner going out two dollars; I told him it was not allowed; a prisoner not discharged could not give his money to another prisoner. Some time after he asked me again if he could get his money to buy some clothes; I said—What money? He replied, Twelve dollars in the safe. I said, You have no such money. Willis all you have is one dollar; he said he was sure he had, as Mr. Beaumont told him at dinner table one day. That he had received a note from the Chief of Police at Hamilton with his money; I reported this conversation to the Warden, between the time that Willis asked me first and his second conversation. I went to the pigeon hole and brought out to the Warden all that was in the safe, which was a yellow envelope and one dollar.

RICHARD H STEDMAN.

Investigation continued, 3rd November, 1876. 4 p.m. :—

ALEXANDER MCMENEMY sworn.—An sergeant in the police in Hamilton: I knew Mr. Beaumont. I first saw him on the Central Prison. I was in the Prison on two occasions; I once took a prisoner from here to Hamilton. I saw Mr. Beaumont in Hamilton on the 5th February, 1875; that may not be the correct date; I believe it to be the correct date. I saw him in the afternoon, in the neighbourhood of five o'clock at the police office in the City Hall; he mentioned something about a prisoner who had escaped, and told me that Willis had ordered him to bring the money that belonging to him, down to the Central Prison. I gave Mr. Beaumont the money. It was a ten dollar bill, a two dollar bill, a sixty cent piece and a twenty-five cent piece a penny in purse with a clasp on and a pair of tweezers. I got him a sheet of paper and he wrote the receipt I now produce on my receipt book. It is known as a receipt book, and is kept for the purpose of taking receipts for moneys or property coming into the hands of the police, and delivered to the owners. The following is a correct copy of the receipt referred to :—

Received from A. McMenemy, twelve dollars and eighty-seven cents, purse, and pair of tweezers, property of Fred. Willis.

JAMES BEAUMONT
Chief Guard, Central Prison.

"5th February 1875."

Previous to saying that Willis ordered him to get the money he asked if I had any money belonging to Frederick Willis, and I said I had there were three or four policemen present, when I gave him the money. Detective Ecoscan was one, I have not seen Mr. Beaumont since until to-day. I never sent a parcel by post of that description in my life. If I had sent it by post, I would have registered it, if a letter had been sent asking for money to be sent to the Central Prison, in all probability it would be on the file kept by the Chief of Police

A. MCMENEMY

Adjourned until Tuesday the 7th instant.

Investigation resumed, 7th November 1876, 2 p.m :—

Mr Beaumont put in statement marked —B.

STATEMENT OF JAMES BEAUMONT late Chief Guard Central Prison of Ontario

TORONTO 3rd November 1876.

1st. In answer to the Warden a charge of being frequently under the influence of liquor I deny it the evidence confirming such statement emanating from Mr Stedman only whose motives in supporting the Warden to restore my removal was always apparent. The only particular instance which the Warder gives, and states was clearly observable, and remarked by the guards, having been denied by the first witness called upon after Stedman who is shown never spoke to me The evening of the 7th March, 1876 being subsequent to the preferment of the charges upon which my dismissal was based

should not be entertained in supporting this charge; anyhow, it has been denied by evidence upon oath. Guard Kirkpatrick's evidence of one instance included in this charge, is clearly untrue, as he states he saw me at 10 o'clock. Now it has been proved I did not come outside of my room at 10 o'clock at all. It was impossible for Guard Kirkpatrick, who was locked in the corridor, to see me. Moreover, Guard Dean, who spoke to me swears he could not serve it such sign. The evidence of the cook and baker is, to say the least, unreliable, inasmuch as the latter he saw me but did not speak; and that was while I was standing under a portico after 8 p.m. in a place where there is not a single outside lamp. Emphasis seems to have been put on the fact of my being on my bed at midnight when prisoner Steadman was missing. It should be observed that until I was called, the bed was my chair. I patiently deny having carried liquor on that day.

2nd. The Warden's charge—that I never reported an officer unless my appointment to office" has been so clearly established to be false by his own hand-writing in the officers' offence book, which shows no less than 8 cases—as to require no comment.

3rd. The charge—that I was in the habit of whistling and singing in the guardroom and allowing guards to wrangle and quarrel without check. I must emphatically deny, and have proved its falsity in every respect, as guard having confirmed the statement, but on the contrary all singing it.

4th. The Warden states I would leave the Refuge when in charge, and remain away for hours together. This assertion, which I most positively deny ever having been guilty of, on any single occasion has also been rebutted by every witness except that of Steadman, and his only says he saw me off the grounds on one occasion, and then in company with two guards viz. Bollard and Doherty the names of those two guards having obviously been selected as they have left the Prison and their whereabouts unknown. It should further be remarked that, although Steadman says on the occasion referred to, he knew I was on duty he admits he did not take any notice of it at the time neither can he, in this, as in most other cases, give any idea of the date. The statement itself is exactly uncorroborated and must decidedly false. With respect to the case of the man in the Hospital being taken worse, I do myself say Certainly, it will be noticed that it was in April, 1877 long previous to the time I was first ordered to sleep in "the Falcon and as to which time I always left the premises named early on Steadman's return; he states himself he was on bed at the time, therefore, it is evident certain I had left, as we were never on the premises together at night, prior to the issue of the order above referred to, on the 17th April, 1878. The Warden states he would bring ample witnesses forward to prove this practice being of constant occurrence, and although every opportunity has been afforded him to do so he has not only entirely failed, but the assertion is contradicted!

5th. With respect to my not having seized a pistol, which should have been worn by a guard on parade, for 18 hours afterwards the statement is not only false, but entirely one of wearing evidence. The guard in question having sworn that he did wear a pistol on parade, and informed me of his not having missing ten minutes afterwards further I was myself in possession of the pistol in question before parade took place

6th. The Warden has also been entirely misinformed respecting Guard Langman as I am prepared to swear I never paraded him for any duty whatever that morning, which has either henceforth enclosed will show and which fact can be further proved if necessary

7th. With reference to certain scandalous behaviour on the part of the officials of the Prison, which was elicited on an investigation held by the Inspector of Prisons some time ago I will be seen by the proceedings of that investigation, that I was neither an actor by nor in the Prison on the night referred to Steadman being in charge; yet, the Warden asserts I must have been aware of it. the assertion is entirely void of truth and not evidence

8th. In the matter of the keeping of the register, I consider the explanation afforded, the inspection of the books, and the evidence of the Bursar clearly proves to any impartial judge, that no irregularity has been fixed on me whatever the statement not having been originated by me but merely copied from the Bursar's entry to whose charge the entrances were at that time

9th. The Warden a statement about the storekeeper and other gentlemen having been informed by me that they could not see the Warden, as true, so far as Mr. Godson is concerned. That gentleman called my early one morning before the Warden was about, and I informed him of my instructions as per order of the 17th August, 1878 on which he left. Mr. God

son will state that the Warden was not in the front grounds at the time, and as he asserts.

10th. In the matter of the keys, it has been clearly established that, the three keys not locked up, were the three keys in charge of the Warden, and which he sometimes kept in the office and sometimes in the house.

11th. Further, the charge of my neglecting to communicate the Warden's orders was stated to be supported by Stedman's single evidence, and that hearsay. Deputy Chief Guard Newton, swearing quite the contrary on personal knowledge.

12th. During the course of the Enquiry, the Warden endeavoured to establish an act of neglect on my part, in allowing Guard Hardie to absent himself from the Prison a portion of the night on the 21st June, 1874. Now it has been clearly established on the sworn testimony of Guard Hardie, and is well known to other guards, that Guard Hardie formed one of the Warden's searching party on the night in question, and was ordered by the Warden to continue proceeding westward, about two miles, and it was then 3 a.m. Without going further into the detail of this matter at present, it must be obvious that the charges brought against me by the Warden, stand, not only in a large part unsubstantiated, but positively refuted. It may have been noticed that, in the evidence of Stedman, the most essential point, viz.—The firing of cases for particular sets, was quite ignored, which cannot be considered satisfactory. With my position as Chief Guard, was in every possible way made unenviable. The want of table was present to all and is also evident from the framing of my duties in the last issue of the By laws, which not only details more work than any one man could reasonably perform but directs me to be unreasonably on duty day and night. To add to this, I was repeatedly being called upon by the Warden to attend to matters connected with his domestic household wants. I could not but consider derogatory to the position which I held and which the accompanying documents will show. I believe, this was done to bring my position down to a level with Stedman's, who voluntarily performed such menial offices, as washing the Warden's dogs, assisting to decorate his dinner table, &c. while he should have been employed on the duties of the prison. Having served over 19 years in H. M. 15th Hussars—17 as a non-commissioned officer without having given a single occasion for the charge of intemperance, I consider this cars should be shown in accepting the evidence against me from a man who during his service in the police was not recognised by the public as of temperate habits himself, and whose acts of intemperance since his appointment as Warder can be proved. Taking every thing into consideration I respectfully submit that, my dismissal was brought about first, by false statements made to the Warden by an individual who was interested in securing my removal and secondly by the evident desire of the Warden to depose me, leading him to exaggerate and add to their untruthfulness and upon whose mere recommendation my dismissal was summarily granted in an unjustifiable manner on the grounds that a precedent has be found in the case of another company. In conclusion, I consider that the necessary steps as required by existing rules not having been taken was to act contrary to the law and renders my dismissal unjust and illegal.

(Copy of Letter from Guard Langman, referred to.)

SCHOOL OF GUNNERY
KINGSTON May 27th 1876.

Mr Beaumont.

SIR,—I am writing this letter for Langman, in consequence of his being in hospital and unable to do so himself. On the Monday morning that I returned to the Central Prison a little the worse of liquor, I was not paraded by you or passed for duty, but was ordered to remain in the guard room. That was before I had been on any duty that day. The above statement I am prepared to swear as being true. Any further information required in reference to the foregoing I will be most happy to give.

I am dear Sir yours respectfully

H. LANGMAN

ERWIN NEWTON recalled.—I recollected a prisoner, a carpenter I think his name was Clarke; it was either Clarke or Smith putting up pigeon holes and things for books in the side of the Warden's office after Mr Beaumont had left. It may have been some seven or eight days

E. NEWTON

W F ADAMS sworn.—Am surgeon for the Central Prison, was appointed at the opening of the Prison. I remember in 1875 on visiting the hospital, I was told that a prisoner named Williams who was in hospital, had taken an overdose of medicine the prisoner was over the effects when I came.

Adjourned.

Resumed.

JOHN ENGLISH sworn.—Am prison bailiff, was appointed at opening of Prison about two years ago, I think in July 1874, I was at the Central Prison in the office of the Warden, the Warden handed me a letter to the Chief of Police at Hamilton, my recollection is that it was a letter from Capt. Hessey to the Warden and that the Warden wrote on the other side of Hessey's letter the order to send the money here by me. I took the letter to Hamilton, called at the Police office, enquired for the Chief, who was absent. I then told one of the sergeants what my business was and he referred me to Detective McMenemy he had the money. I said I had not time to wait, and that I did not know Mr McMenemy but to tell the Chief to send the money to the Warden, and he would send a receipt.

JOHN ENGLISH.

Adjourned.

Original Papers referred to in the investigation of the charges preferred against Chief Guard Beaumont of the Central Prison.

HAMILTON 8th Nov 1876.

Capt. Prince,
Central Prison.

SIR,—Enclosed please find declaration from Rossean and Capt. Hessey in the Beaumont matter. I think that ought to convince even Beaumont himself, that he is mistaken. I am sorry I could not have sent them sooner

I remain Yours &c.,
A. McMENEMY
Serg't

I John R. Rossean of the City of Hamilton in the County of Wentworth Constable, do Solemnly declare, that Detective McMenemy and I arrested Fred Willis together McMenemy took possession of his money and things and I saw McMenemy pay Fred. Willis a money to a guard from the Central Prison in the Police office, in the City of Hamilton. The money was paid to a guard that was making inquiry about a man named McCullough, who broke out of the Central Prison. I also saw him, the guard write a receipt for the money in the Police office at Hamilton

And I make this Solemn Declaration conscientiously believing the same to be true, and by virtue of the act passed in the thirty-seventh year of Her Majesty's reign intituled "An Act for the suppression of voluntary and extra judicial oaths."

Declared before me, at the City of Hamilton, in the County of Wentworth this 8th day of November A. D 1876

James Cahill,
J. M. de J. P.

} John R. Rossean.

I, John Henery, of the City of Hamilton, in the County of Wentworth, do Solemnly Declare, that in February, 1875, I was Chief of Police of the City of Hamilton. I received a letter from Capt. Price, dated the 27th January, 1875 in reference to Fred: Willis' money, and in the beginning of February I remember McManus who was then detective, coming into my office and telling me that he had paid Fred. Willis' money to James Beaumont, Chief Guard, Central Prison, and at the same time producing Beaumont's receipt for the same, which he attached to the receipt-book kept in my office: I am positive the money was paid to Beaumont in the Police office in that city.

And I make this Solemn Declaration conscientiously believing the same to be true, and by virtue of the act passed in the thirty-seventh year of Her Majesty's reign, intituled "An Act for the suppression of voluntary and extra judicial oaths."

Declared before me in the City of Hamilton, in the County of Wentworth this 7th day of November A. D 1876 } John Henery, Late Chief of Police.

J. White, Jr.,
A Commissioner, &c., for H. M. in C., in and for the County of Wentworth.

12th April, 1876.

SIR,—I beg to acknowledge the receipt of your letter of the 17th instant, informing me that on your opening an envelope, said to contain the sum of eighteen dollars, taken off the person of Prisoner James Brown, the said money was not found enclosed therein, and stating further that such package had been made up as was placed in the care of the Chief Guard Beaumont. Before recouping you for the amount which you state you have paid over to the prisoner I must make further inquiries into the matter with a view of discovering who has been guilty of obstructing the money in order that such person may be prosecuted criminally

I have the honour to be, Sir
Your obedient servant,
J. W. LANGMUIR,
Inspector of Prisons.

Captain Price,
Warden of Central Prison Toronto.

Extract Conviction—The Procurator Fiscal against James Beaumont.

At Perth the third day of May eighteen hundred and sixty-one years. In presence of Hugh Barclay Esquire, Sheriff-substitute of the County of Perth, and a jury sitting in judgment in a Sheriff's Court of the said County lawfully fenced and affirmed anent the criminal libel or complaint raised at the instance of John McLean Procurator Fiscal of Court for the public interest, against James Beaumont, now or lately prisoner in Perth prison, accused of the crime of Theft, or Reset of Theft of a silver or other metal watch, actor or art and part. And at calling of said criminal libel or complaint, upon the date hereof, in presence of the said Sheriff-substitute compared the panel, and the libel having been read over to him, and he having been interrogated thereon, he answered that he was guilty of Reset of Theft, as libelled. The Procurator Fiscal accepted of the said plea.

JOHN THOMAS

The Sheriff in respect of the foregoing judicial confession of the panel granted, and hereby grants warrant for committing the said James Beaumont to the Prison of Perth, therein to be detained for the period of one calendar month.

JOHN THOMAS.

Extracted by me
Sheriff Clerk of said County
Where not printed written by Adam McKenna. Collated by John Thomas
Signed at Perth, the 13th day of December eighteen hundred and seventy-one years

CANTONMENT 28th November 1862.

From O C Depôt Troop 13th Hussars.

Imprisoned by Civil Power for Felony from 8th April, 1861, to 1st June, 1861
Tried for Disgraceful Conduct from 2nd June, 1861, to 24th June, 1861
Reduced by C M to Private, from 25th June, 1861 to 8th September 1861

SIR,—In reference to the sheet of private James Beaumont, I find that the entries of conviction against him, are as per margin. You will notice that though there are three entries, the various terms of imprisonment seem to run into one another over a period of from 8th April 1861 till 8th September 1861

I am Sir your obedient servant,
C. W FILE,
13th Hussars.

To the Warden Central Prison, Ontario.

The undersigned has the honour to submit for the consideration of Council the evidence taken at the recent investigation into the management of the Central Prison

It will be remembered that since the dismissal of Chief Guard Beaumont in March last, complaints have been made in regard to the Central Prison, but that as they were supposed to emanate principally from discharged officials, at was not until some time afterwards, considered necessary or advisable to hold an investigation.

During the time of the Inspector being fully occupied, and from other causes, some unavoidable delay took place and although the Government had determined in September that I should hold an investigation I was not able to enter upon it until the 31st October since which time, with the exception of two or three days I have been continuously employed in examining into the affairs of the Prison. I have taken the evidence of all the officers of the Prison, and such others outside, as were supposed to be able to give any reliable information.

I may state that when the Central Prison was completed, it became necessary to obtain every possible information, not only as to general management, but also as to the mode of punishment of prisoners in similar institutions and for that purpose the Inspector the Warden, and the Chief and Deputy Chief Guards made separate visits to several of the Industrial Prisons in the United States I was not then a member of the Government, but after carefully considering the problem I must come to the conclusion that, on the part of Inspector and Warden from the opening of the Prison until the present time, there has been a determination to establish at the Central Prison not only the very best prison regulations but also to adopt such a system of punishment as would enable the officers to enforce discipline, compel the performance of labor and assure order; thereby accomplishing the object the Legislature had in view in establishing that institution.

The most successful industrial institutions in the United States both as to prison management and financially, is the Albany Penitentiary, and the system of punishment adopted at the Central Prison is not so severe as to duration, but in other respects in the same as practised there.

Once having decided as to the kind of punishment, the application and severity must to a great extent be left to judgment of the Warden and the supervision of the Inspector

While all the Industrial Prisons in the United States have printed rules, some, as far as we have been able to learn, have printed or written regulations as to punishment the severity and kind of punishment being determined by the practical experience of the officers in charge, on the peculiar ideas entertained by the different Prison Boards, or those who have the power to determine In awarding punishment the Warden is guided by the nature and frequency of the offence the previous conduct, and the age, health and constitution of the prisoner

The evidence shows that strict discipline prevails in every part of the institution that every thing is done in order and the regulations adopted by the Inspector for the management of the Prison have proved most effective.

It was impossible to foresee all the difficulties surrounding the management of the Prison and the rules have been from time to time amended as experience was obtained.

We have over three hundred and thirty prisoners in the Central Prison; a large proportion are criminals of the worst kind, some have served a term in the Penitentiary at Kingston, others in one or more of the prisons in the United States; others again are serving out a second or third term here. For the protection of the officers, for the safety of the Prison, for the proper carrying out of our contract with the City Company, and in the interests of justice (if the Prison is to be considered a place where crime is punished) it is imperatively required that strict discipline be enforced.

Laxity of discipline would result in insubordination and mutiny; our guards overpowered, and the danger of our three hundred criminals being let loose on the country.

On the other hand, if we suspect the prisoners to work, obey the guards, and use as necessary to prison rule, the punishment of an offence must be prompt, and of such a character as the nature of the offence and the surrounding circumstances require.

Before arriving at the conclusion that the punishment awarded in any instance by the Warden has been unduly severe, it is necessary to consider all the facts, and as I shall have the honor to submit them to exhaust a full report on the mode of punishment in the Prison, and, as far as possible, similar institutions in the United States. I will defer giving any opinion as to the system adopted, or the punishment awarded, until then.

If there has been no error on the part of the Warden, in awarding punishment, I am satisfied it has not been of a serious character, and has been from no inclination on his part to be unnecessarily severe. But rather from a natural anxiety to preserve the discipline of the prison. The severity and intelligence of Mr Stedman may have induced the Warden to throw upon him more responsibility than should be entrusted to a subordinate. Mr Stedman, formerly Deputy Chief Guard and for the past few months acting Chief Guard, is an active intelligent, brave, determined man, and a strict disciplinarian. The 5th paragraph of the Almon Memorandum in a letter dated May 26th 1876, addressed to the Inspector says: "Mr Richard Stedman has, for the past month, been with me making himself acquainted with the various duties of the different prison officers and it affords me pleasure to state that I consider him well adapted and qualified to fill any position in which he may be called upon to serve me, or any one I may succeed (not brought up in the business) who possesses so many of the qualities necessary to the proper discharge of the duties of a deputy warden as Mr Stedman.

The Prison Surgeon —Dr Aikens—who visits the prison daily and is in constant communication with the acting Chief Guard, speaks in high praise as to his ability as a prison official and states that he does not believe him to be a cruel man. The Warden of the prison also in his evidence gives Mr Stedman a high character and says that he (Stedman) has been the support and reliable ally of the 2 scribe of the prison." While the evidence proves that Mr Stedman has many requisites a good officer is also disclosed the fact that he has been unnecessarily severe in the treatment of prisoners. Having heard that I had come to that conclusion he has placed his resignation in the hands of the Government, which I recommend should be accepted.

I have much pleasure in stating that the reports as to guards being unfairly treated by the Warden and Chief and Deputy Chief Guards, on account of their religion, are untrue.

All the guards have been questioned on this point and their reply invariably was, We have not seen any difference in the treatment of the guards on account of their religion."

Every opportunity was given to the different persons examined to make a full statement, each being warned that the evidence he might give would not affect his position in the prison. In addition to Captain Prince, I should state that there has not been any evidence given reflecting in any way on his personal character and I feel bound to add that the present state of the prison and the discipline in force there, are highly creditable to him as Warden, and it must be gratifying to him as it is to me that, after an exhaustive and searching investigation, nothing has appeared reflecting on his management of the prison further than might be charged against any efficient warden and strict disciplinarian.

Our Central Prison is second to none in America; its management is equal to any, and much of the credit of its success must be attributed to Captain Prince.

Respectfully submitted,

S. C. Wood,
Provincial Secretary

Toronto, 15th November 1876.

TORONTO, 17th August, 1876

SIR,—Certain rumours have come to my ears, and doubtless have also found their way to members of the Government, which cannot but seriously affect the characters of some of the officials of the Central Prison, if not my own as Inspector and what is of still greater importance, from a Government stand point, are calculated to do serious injury to the prison itself as one of the institutions of the Province. It is true that these rumours have so far as I can discover, been set afloat by persons who have been dismissed from the prison service, or by disaffected officials now in the service, and should therefore under ordinary circumstances, and nearly always be taken "cum grano salis" still I am of opinion that a full and searching inquiry should be made into all the rumours and reports that are so prevalent, and into all matters connected with the management and discipline of the prison.

As I am informed that one of the charges preferred against me is that I have favoured certain officials in previous examinations, and in my capacity generally as Inspector I would strongly recommend that, in the interests of the prison and all concerned, the examination be conducted by two members of the Administration. This seems to me to be the more necessary as I have recommended for promotion and advancement, one of the officials whose character is most seriously assailed by these rumours.

I am,
Your obedient servant,
J W LANGMUIR,
Inspector

The Hon. the Provincial Secretary

INVESTIGATION into the General Management and Discipline of the Central Prison, held in the office of the Central Prison commencing on Tuesday 31st October. 2 P M

THOMAS SHORE sworn.—Am Baker of the Central Prison; at the opening of the institution I had charge of the stores, the Chief and Deputy Chief Guards successively the latter were overbearing and arrogant in their treatment of me—they would come in to my office at irregular hours, and demand the delivery of stores,—sometimes verbally and sometimes on slips of paper without specific requisitions, at that time there were no forms of requisition these demands were made in an overbearing disagreeable manner, I cannot recollect the language so specify the time when I objected I was told by the Deputy that it was done under the orders of the Warden and that he knew no other authority a copy of rules were prepared and handed to me by the Chief Guard by order of the Warden he said they were for the guidance of the officers, myself included I have nothing to complain of now as to the arrogant manner of the guards referred to or as to the delivery of stores I took a copy of the "Rules" to the Inspector who told me that the officers employed of had nothing to do with me whatever after that especially after the delivery of the slops was handed over to the Steward, I experienced no open hostility but was told by the Prison Hall I that the Deputy said in the office that the Chief would soon occupy my shoe and that he, the Deputy aspired to be the Chief Guard's position, in the way to a higher —meaning the Warden ship, this was the expression of the Bailiff Storekeeper McCarthy told me that the Deputy Guard stated in the guard-room that the Warden could soon any man in the Prison including myself. I frequently heard expressions of hostility to others, especially the Hall Steward and Cook, on the part of the Chief and Deputy Chief Guards, and against one or two of those whom I esteemed the most reliable and respectable of the guards, viz.—Coutts Axworthy and Greasy two of these men told me they were annoyed by the arrogant and overbearing conduct of Deputy Chief Guard Stedman that they were obliged to leave their situations in disgust these two were Axworthy and Coutts Greasy prevent to his leaving told me he intended to resign on account of the treatment he had received he did not state whether it was Beaumont or Stedman he complained of

I consider the treatment of the prisoners by these men (Beaumont and Stedman) on which I considered good evidence, especially of those who tried to conceal themselves with

a view to escape, as unnecessarily severe; Elliott, a Hospital Guard, and Clarkson, the Engineer were among the persons who gave me the information, the sole of cruelty towards the concealed criminals were beating by the guards: Clarkson told me their cries could be heard outside of the Prison ground, and Elliott said me he saw them beaten: I cannot state how many were beaten: Mr. Elliott did not tell me how many, he spoke of the severity; prisoner Nash, who was allowed to remain in my office, in the summer of 1874, and who was highly spoken of by Sheriff Massey, of the County of Elgin, told me that Mr. Stedman asked him if he had heard any of the employees speaking against the officers of the Prison, and intimated that if he, the prisoner, would give him, Stedman, his confidence, it would be better for him; Nash's not reciprocating resulted in his being harshly treated by Stedman; he showed me a mark on his wrist, which I saw me after he left the Prison, which he said was made by Stedman striking him with a loaded stick, because he saw ink on his sleeve where he had wiped his pen.

About this time I was temporarily absent, and on my return I found he had been removed from my office, and was employed in the yard; I applied for his restoration, which was not granted until I complained to the Inspector, who ordered his return to my office; on the 30th October, 1874, at about 3 p.m. I received instructions from the office of the Inspector to furnish a list of the names of 100 prisoners then existing in Prison, to whom Our Company on the following day to do this, and to prepare a copy to return I returned to the office in the evening, and told the prisoner to remain and help me about 8 30 Stedman came into the office, and summoned the prisoner to go to his cell without speaking to me; he looked from his work to me for direction and I explained to Mr. Stedman the necessity that existed for his remaining, he said he would see the Warden about it, and went out the prisoner remained until I had finished, prisoner Hunt a hair was cut about the day before he was discharged. Hunt told me the Deputy ordered this to be done; he was examined after it was cut, and was sent back a second time by the deputy I paid his board for several days after his discharge, until his hair grew, so that he could go out and look for a situation. I heard that Mr Stedman said he would put a stop to officers taking their friends through the prison without a pass this was in the summer of 1874 a short time afterwards I heard that an order was placed in the books to that effect. As I expected some friends of mine to visit the Prison I spoke to the Warden about the order, who said it was not intended to apply to me, but only to the Steward and Cook I am not certain but I think it may have been either the Bailiff or Mr. McCarthy the Steward who told me what Stedman said. On one occasion, when two friends called on me, we went up the tower on the invitation of the Wall Guard the Warden ordering this, removed the Wall Guard, at least as I was informed I had formerly a prisoner to assist me in the spring of 1875 I asked for the continuance of a prisoner to assist me in my office, but was refused, and have not had one since, although a prisoner is allowed to assist the Storekeeper (Letter marked "A" now put in.)

Copy of Letter marked "A."

BUREAU'S OFFICE,
CENTRAL PRISON OF ONTARIO,
Toronto, 4th October 1875

SIR,—I have the honour to call your attention to two inaccuracies in the weekly statements of prison labour supplied to contractors, which have been sent to me. I went to your office to see the Chief Guard by whom they were prepared with a view to having them corrected. He being absent from the office, I left a message, requesting him to come to my office to make the corrections, but subsequently received a reply that he was forbidden to come, so that I have failed in getting the matter explained, or corrections, if necessary made.

I have the honour to be,
Your obedient servant,
THOMAS SHORT
Bursar

Captain Prince,
Warden Central Prison.

This letter is one that I sent to the Warden on 4th October 1875. On the back is the Warden's reply and a note by Mr Beaumont the Chief Guard.

Copy of reply

The Chief Guard has received no orders of the kind. He shall attend your office to-morrow morning. He is on leave to-day

W. S. FRENCH,
Warden.

Note

MR. SECRETARY.—In reference to the above, the Warden distinctly ordered me not to go to that portion of the Prison in which your office is placed, except once a day to draw stores. When I reminded him of that order he told me he only intended it to refer to the store-room.

JAS. BEAUMONT,
Chief Guard.

The Chief Guard told me he was told especially that the reason the order referred to in the letter was given was, "that there was astringent going on in that office, meaning my office. On Saturday the 27th May 1876, I sent the Storekeeper to the Warden's office with a pay sheet to sign, and a cheque to hand to him. On the Monday following an order was placed in the book forbidding anyone, except the Inspector the Chief and Deputy Chief Guards, to enter the Warden's office. Mr Stedman showed me the order and explained that it was intended only to apply during the Warden's absence; subsequent to this order the storekeeper mentioned that some goods were wanted I told him to make out a requisition, and get the approval of the Warden in the usual way as I was going to the City. He prepared the requisition and went to the waiting room, and was told by the guard that, although the Warden was in his office, he could not enter neither could he, the guard, go in with the requisition. Mr McCarthy can give the name of the guard (copy of order referred to and marked "B," as now put in)

—CENTRAL PRISON May 29th, 1876.

(5) "He shall see that the door of the Warden's office is kept closed, and that no person enter therein in the absence of the Warden except the Inspector of Prisons, the Chief Guard and the Deputy Chief Guard On Saturday afternoon, all communication with the Stores Department shall be closed after 3 o'clock."

I am convinced that there is a disposition on the part of Stedman to brand Irons and annoy the Storekeeper As an instance the sudden removal of Willis, a well-trained prisoner who had been employed as the lower store as butcher etc and who had proved himself steady, active and civil, and was thoroughly conversant with the duties required for some alleged offence connected with milk, he was punished, and afterwards sent to work at the stone pile instead of being returned to his duties in the stores and another man was sent in his place.

I felt that the more as the man sent in his place (a prisoner from Ottawa) although a butcher had a very bad reputation outside. It had always been the system before that when a man is likely to be disturbed from his position another is put with him so that the new man may become conversant with his duties. I spoke to the Warden about the man being taken away and this man from Ottawa sent in his place, but nothing was done. At the time I spoke to the Warden I knew nothing about the character of the new man. During the past year I have no reason to think that the Catholic guards are not treated fairly on account of their religion. I have not seen any brutal treatment of prisoners at any time. As far as I know Stedman is attentive to his duties. A short time after the opening of the Prison it came to my knowledge that some prison shirts had been cut up, and made into under-clothing for Mr Stedman. Some of the pieces left were brought into the store. Mr McCarthy (the storekeeper), may have been the party who told me. I have heard that Mr Stedman removed articles made by the prisoners. Mr Metcalfe was at one time bailiff of the Court.

THOMAS SHORT.

Investigation adjourned till 2 p.m. to-morrow 1st November

Investigation resumed 2.30, p.m., Wednesday, 1st November, 1876.

JOHN ENGLISH, sworn.—I am Prison Bailiff; was appointed at the opening of the Prison. I have not been in a position to see any act of cruelty in the acts of the officers of the Prison, and never did see any. About a year and a half ago I took three lunatics to London Asylum from the Prison. Sometime before this, (about three weeks), I was in the Prison, and heard the yells of a prisoner and the sound of blows. Guards Mansell and Gifford came into the guard-room, and while there was a chance to look a-way-mo. I replied, "Why did you look him in?" They said that it was not they who did it, it was Stedman. They said he struck him (the crazy man), with a key and beat the key on him, and knocked his head against the wall, and knocked the blood out of his head on to the wall. When I got to the Asylum, and after they were undressed, Dr. Lett told me that one of them was fearfully abused, and he felt it his duty to report the case to the Government; that he knew I had not committed the acts of cruelty, because the marks were of too old a date. He also said they were fifty to sixty years old. The lunatic's name was Edwin Lewis. About fifteen weeks ago I was in Hamilton. I was in the Court House and there was getting on. The County Judge sentenced a prisoner to a year and a half in the Central Prison, whereupon the prisoner begged to be sent two years to the Penitentiary instead; saying he would rather be sent to hell for a year than sent to the Central Prison, owing to the treatment he had received when there before; and the Judge gave him two years at Kingston every Mighty. Chas. Hemsley, the Goaler of Hamilton Gaol, can give name of prisoner. About nine months ago I was at the Dundas in Hamilton and heard a prisoner beg to be sent to the Penitentiary for two years instead of one in the Central Prison; the Judge sent him to the Penitentiary. Capt. Massey will know the name of this prisoner also. I have heard of excessive acts of cruelty but cannot give names.

I have not been satisfied with the treatment I have received. I have been locked out, when on mine, when boarding in the Prison. One time I was locked out, I rang the Warden's bell and he (the Warden) let me in, and stated that I was in time. I ceased boarding at the Prison on the 14th April 1875. Frequently when coming to the Prison with prisoners, I have been kept waiting for twenty minutes in the storm and cold. I have now a key. About six months ago, I brought a number of prisoners to the Prison it was about 10 30 o'clock at night. I rang the bell, but no one answered for at least fifteen minutes. I then stepped on the window and found Guard Fraser then let me in and "you must not blame me for keeping you waiting, as I could not wake Stedman up." The next morning I was in Mr Shortis's (the Bursar's) office when Stedman came and told me the Warden wanted me. I went to the Warden's office. The Warden asked me what the devil I made such a noise for last night. I said to him in the hall that when others seemed from the time I rang the bell the guard opened the door. He said Mr Stedman told him no. I told him to call in the man who let me in. Guard Newton came in and the Warden asked him how long it was from the time I rang the bell until he (Newton) opened the door and he (Newton) said two seconds. I said to Newton "Did you let me in last night?" and he said Yes, of course. I asked him if that was a fair up put between him and some one else to entrap me, and I asked the Warden to send for Fraser the guard who did let me in. Mr Scarmouch told the Warden that Guard Fraser was engaged the night before. Guard Fraser came in and I asked him if, when he let me in last night, he did not say, I must not blame him, as he could not wake Stedman up? He said he did so. Stedman said he was awake as he knew the prisoners were coming up. Fraser replied "I mean until you answered me." I do not know whether you were awake or not." Immediately after that the Warden gave me a key which I have used since. About six months ago I was in the Prison my son, who is five years old was with me. I started to take him to the water closet when Guard Dean stopped me. He said there was an order on the book to prevent any children going through the door. I then went to the Warden who ordered the guard to let me through. About a week ago the same thing occurred again. Guard Mansell was on guard. He opened the gate and let me through. When I came back Guard Mansell told me that Stedman attacked him for letting me through. Mansell said he did not know it was wrong. Stedman said there was an order on the book against it. Mansell said he never heard of it, that it never was read to him. Mansell said Dr Aikins (the surgeon) brings his children in, and why not the Prison bailiff.

I have been told by discharged prisoners that Stedman questioned whether I gave them liquor at the Marlborough House in the way to the Prison.

I have given the prisoners liquor but not lately. Mr Langmaid (the Inspector) told me it was wrong to do so. Prisoner Marron from Strokville has been twice, and when discharged the second time, he obtained a pass from the Warders.

About two years ago I am Gerards Bellord & Price and others, drinking liquor in McCarthy's room. I have seen cards being played on the premises. I am Bellord very drunk in the guard-room. Have seen Beaumont under the influence of liquor in me. I never saw Beaumont or Stedman present at any time when card-playing or drinking was going on, or when there was quarrelling or wrangling going on. I have never given any information to any one connected with the press as to the transactions in the Prison.

Shortly after I came here, Stedman and, pointing to the Parson's chair, that Beaumont was fitted for that, and that his words soon have it. I have not noticed any differences shown to any one on the person on account of his religion.

DANIEL MCCARTHY sworn.—Am storekeeper. Was appointed on the opening of the prison. At the time when the prisoners concealed themselves with a view to escaping I heard their cries when they were caught. They screamed very loud. Gunstock was one I forget the others. I ran out and think I am a blow or two struck. I did not see the prisoner afterwards. I was unwell for two or three days after this from the effects, having never seen anything of the kind before—there was a short time after the prison was opened. Since April, 1876, I have seen little that is going on in the prison, being employed in the storeroom. Since April, 1876, I have kept away from Stedman. Prisoner Wilks who was detailed for state work, was bringing in milk by the upper floor of the storeroom, Stedman and, you must not go in by that door you must take it up by the lower door. I am of opinion that Mr Stedman has full control and that the Warden upholds and endorses him.

I remember prisoner Hunt, I know his hair was cut short the day he went out. They call it a cannon ball cut.

Mr Stedman did not say to me that he would put a stop to officers taking their friends through without a pass. Have charge of prisoners. Know what is given to prisoners. Consider the prisoners are well fed. When there is no work the quantity of meals is reduced. When the institution opened the tailors were making clothes premises recently for every body and it was stated that one sheet was cut up for a pair of drawers for Stedman. I have never missed anything out of the stores.

We were hardly opened when the prisoners were prevented from kneeling down when Father Keeney was holding service. Stedman and I were the Warden's orders that they were not to kneel down. Father Keeney demanded to see the Warden. Stedman and I go on, the prisoners might kneel down. On Sunday Stedman kept his hat on during the Catholic service. He stood beside the altar. I heard the Warden say to Beaumont and Stedman they were to kneel as down. I said to the guards I want you to bear that in mind. The Warden said I did not mean that, I want you to watch him as a cat watches a mouse." One other occasion when Guard Somers was appointed in the absence of the Warden, he was sworn in by Mr Beaumont I think.

The first Sunday he put in an appearance he was seen by Deputy-guard Stedman on his knees. He (Stedman) came running down after service was over. Mr Beaumont, Beaumont Beaumont you have sworn that man in, he is an Papist! if the Captain was here he would not have done it." Then Beaumont told me. Guard Gifford told Mr. English that Stedman called him into the Warden's office as he was passing down the lawn one Sunday afternoon in company with me and said "now I want you to help me to get rid of those an Papists. Guard Lyon assisted to me the same thing. Acting on instructions from the Bursar on the 27th May or thereabouts I took a pay sheet for the Wardens approval and was not allowed to enter his office. Guard Wood was on duty and he said he could not go in with a pay-sheet, no guard other than the chief and deputy being allowed to enter that room. The same morning I wanted to go to the water-closet, and had to explain to the guard where I was going. Mr Stedman standing by laughing. I felt that Beaumont and Stedman were opposed to me. I never saw Beaumont or Stedman under the influence of liquor. I never saw Beaumont drunk on the premises. I never gave any information to the press regarding the affairs of the prison, except stat-

ing to Patrick Boyle, that Captain Prince said he would "hound me down." The Inspector always gave every attention to any complaints I made.

D. McCARTHY.
Overlooker.

EDWARD NEWTON, sworn.—An acting Deputy Chief Guard. Have been guard since 5th July, 1875. I had served in the Royal Artillery nearly 21 years prior to my entering the prison. On the first Monday when I commenced active service in the prison at 6-45 a.m., I was talking to the prisoners of gallery No. 4 when I heard a noise in the rear part of the gallery, and on looking round saw Mr. Stedman striking prisoner Charles Gibbons with a walking stick. Stedman said he was because he did not walk well. He struck him two or three times on the hands. The prisoner struck at and lifted his foot, he is an old man of 63. I have not seen any other case of cruelty. I have seen no difference in the treatment of the guards by the Warden, Chief Guard or deputy on account of their religion. I have known of lots of instances where persons have been put in irons without their case being first reported to the Warden. One is the case of James Byrne. I remember his case as he made a great fuss in going there. I recollect the case of six men being put in irons by the order of the Warden, they were sent on one frosty morning. They were reported by Guard Wall, who was not the guard directly in charge, Guard Gilford was the guard in charge. They were reported for refusing to work, or not working, (she was in the winter of 1876). The Chief Guard received the report signed by Guard Wall and countersigned by Guard Gilford. When the Warden came in Mr Beaumont reported the case, and the Warden ordered them to be placed in irons. I placed some of them in irons myself and as I was doing so, the case complained, and said they were brought in unjustly that there were 24 men of their gang employed shunting the cars.

Adjourned the investigations, and resumed at 7.30 p.m.

Guard NEWTON recalled.—They stated that in consequence of there having been twenty-four men around the car there was not sufficient room for all to join it, and the guard (Gilford) in charge had not found fault and they requested the Warder would be informed of it. I told the Chief Guard (Beaumont) and he told me to inform the Warden. The Warden then sent for Guard Gilford and after hearing what he had to say he released the six prisoners. George Newbold a prisoner was placed in irons by Stedman and James Hickey a prisoner, was placed in irons by the Chief Guard without their cases hearing been first reported to the Warden This was since January 1877, and some time in 1875. The other day a prisoner—at present a cook to the kitchen—was ordered to be deprived of his bed for the night. I referred the case to Mr Stedman who found he was the proper man. His case was not referred to the Warden. I think Mr Stedman assumes too much authority in ordering prisoners to punishment without first consulting the Warden. Prisoners have complained as to the sufficiency of food. I remember the food now furnished sufficient The complaints are, that when vegetables were out of season the soup was scanty and not of good quality and then the cases complained but these occurrences are rare. The cooking at times is inferior, soup too watery too much made more than was necessary I know Guard Cousins. I do not think he was quite sane. He could not be entrusted with a pistol. I know Guard Grosey I consider him a good guard. Mr Stedman had two easy folding chairs made in the Prison. I don't know whether he furnished any of the material He had an inlaid bookshelf made and had box made by two men named Collingwood. I know Guard Unlacke I know nothing about his getting irons. I got permission from Mr Stedman to get a glass case for an ornamental clock which was done and I had a picture painted it was painted in my own room. I know prisoner Walter Jones he was employed cutting ornamental bone work for Mr Stedman also vegetable ivory work. He was employed for a considerable time. He worked in his cell and Mr Stedman's room The was previous to an order issued by the Warden forbidding work of this kind I know prisoner McCarthy He was employed painting in the north mark's no shop had a Mr Stedman's room I recollect a watch being stolen for I don't recollect the guards who took part in it. I have never given any information to the press respecting the Central Prison. The work-box made for Stedman was made since the order by the Warden forbidding anything of the kind

E NEWTON.

PATRICK MCCORMACK, sworn.—Am a Prison Guard; was appointed on the 17th May, 1875; of my knowledge I do not know of any cruel treatment towards prisoners on the part of the officers of the Prison. I have not seen any difference in the treatment of the guards on account of their religion. I have no complaint to make and know of nothing wrong in the management of the Prison; I have heard of some of the single men who are guards complain that they had more to do than the married guards; I have reported nothing to the press; I have seen Mr Beaumont under the influence of liquor more than once.

PATRICK MCCORMACK.

DAVID KIRKPATRICK, sworn.—Am Prison Guard; was appointed 11th September, 1875. I have seen prisoners punished, but I do not think they were punished any more severely than they deserved, but I have seen prisoners under punishment when I did not know what they were punished for. I never saw a guard strike a prisoner; I have never seen any difference in the treatment of guards on account of their religion; I have never known any dishonest act on the part of the guards; I have seen prisoners making beds work. I have never reported anything regarding the Prison to the press. I think the food furnished to the guards should be made more palatable, the fault is in the cooking; last spring some prisoners belonging to my gang reported themselves sick; I thought they were sick. I went them in to see the Doctor, and they were sent back to work. I do not know whether Dr Barker saw them or not; one prisoner was Perkins who in a few days was convinced in the hospital, and afterwards died of typhoid fever.

DANIEL KIRKPATRICK.

RICHARD FARRELL, sworn.—Am Prison Guard, I was appointed 23rd May 1874. I know nothing of the cruel treatment of prisoners never saw anything of the kind since I came here. I never saw any partiality in the treatment of the guards and no difference whatever on account of religion; about three months ago one of the prisoners put some meat in his dinner tin and ate it raw. Mr Stedman saw him do so, and threw the meat on the table, after removing the meat from his tin, he gave the prisoner another tin which would not have hurt a child and made him stand up until the other prisoners were done. I have nothing to complain of the single men complain that they have more to do than the married men. I am a single man but do not complain. The food at the guards' table is badly cooked. I have not reported anything regarding the Prison to the press.

R. FARRELL.

WALTER BUTLER, sworn.—Am Prison Guard; was appointed 6th March last. I know nothing of any cruel treatment of prisoners; I have never seen any difference in the treatment of the guards on account of their religion. I have reported nothing to the press. I have no complaints to make.

WALTER BUTLER.

W J MAXWELL, sworn.—Am Prison Guard; was appointed on 18th January 1874. I was in the metropolitan police and in the Surrey constabulary previously to coming here. About two years ago I was in charge of a gang working in the front grounds. One day while I was marching them out of the yard one of the prisoners named Richard Jones, an oldish man, let his left hand drop straight, and Mr Stedman struck him with a stick over the hand and the nose complained to me afterwards that his finger was very painful. The finger took to swelling and some weak or two afterwards the outer skin around the joint peeled off on another occasion, I think it was the winter before last, I was on duty in the north wing at night patrol. Suddenly I heard a violent shouting, and the cries "Capt. Prison" repeated several times. I went upstairs to the top gallery and there I found a prisoner (Edward Lewis) still shouting "Capt. Prison." I believe that he had become deranged. Mr Stedman at the time in charge that night came out of the guard-room with the Guard Holland and a key was produced to open the cell door. I long key Mr Stedman went in the man standing all the time, but made no resistance. Mr Stedman struck the man with the iron key. Lewis shouted murder! Mr Stedman threw him down on the bed and his head struck the wall

and died, Mr. Stedman then placed a wooden gag in his mouth and his hands head-cuffed behind him. This was about nine at night. He was left lying on the bed; I went up to see him an hour half an hour, he appeared to be all a heap with his hands down on his breast. When I spoke to him, he raised up his head, and I found he had got the gag out; I made a report of the disturbance on my note book, on a sheet of paper, and reported to Stedman and Beaumont. I did not report his striking with the key. He (Lewis) had all night with his hands behind him; without an hour Stedman asked me how the prisoner was going on, said if he was quiet. I told him he had got the gag from his mouth; I think he said, Let him be. Mr. Stedman did not give me any instructions to take the gag out of the prisoner's mouth if he became quiet. I don't know who removed the head-locks; I know that he was not on last all night; I had charged for some time he was insane—Stedman struck him (Lewis) over the shoulders. The blows hurt the key; The key is two feet long, and is made of steel half an inch in diameter, and I think would weigh two pounds. I produce a similar key. It is called the entrance key to the prison proper. Mr. Stedman had some chairs manufactured here. I do not know whether he took any away; I understood they were furniture for his own; I saw them in his room after they were finished: I never saw any partiality shown the guards by the Warden, Chief, or Deputy Chief Guard; and no difference was made on account of religion: I have not reported anything to the press. Prisoners have complained of the food to me and not being sufficient, sometimes there was more food than was necessary and sometimes I should say there was not sufficient. I have seen no favoritism in to treatment of prisoners. There seemed to be bad blood between Beaumont and Stedman; I never heard them quarrelling.

W. J. MAMBELL.

HENRY F. KING, sworn.—As Prison Guard was appointed 27th February 1876. I cannot say I know of any cruel treatment of prisoners. When I first came prisoners were confined in irons all night and were not let down to use the buckets. That is not done now; the guard lets them down at ten o'clock to use the buckets. I have seen no difference in the treatment of the Guards by Capt. Frines, or the Chief, or Deputy Chief Guard. I have reported nothing to the press.

HENRY F. KING.

Guard NEWTON, recalled.—Whenever a prisoner has been for receiving himself for the purpose of escape, by the Chief and Deputy Chief Guards, one using a rope and the other a stick; this was about January, 1875. I did not see him beaten but afterwards when he was placed in the dark cell I saw him, his body was covered with welts and bruises. the surgeon was not present at the flogging; the man was very much exhausted. Beaumont showed me the stick which he used and it was over half an inch or thickness and was broken up. I was twelve months in charge of the north wing, and saw a good many prisoners put in irons. After wet had been up for several hours they would be very much exhausted; their hands would get cold and their arms paralysed and in many instances I have found the men have answered the calls of nature in their clothes. As a rule when they expressed contrition; they were taken down by half past at night they remained until six in the morning. Not long since, about the end of August 1876. I found a prisoner in a fainting condition,—corridor guard Umbacke discovered him and told me. When I went to him he was hanging by his hands the name was Hawkins. In lieu of that punishment I would suggest a longer term of bread and water in a dark cell; the dark cells are badly ventilated, there is one outlet but no inlet for fresh air. I have been in the air liery; the punishments were principally dark cells. I am acquainted with the systems of punishment in military prisons and putting a man in irons is not resorted to except in extreme cases. I think that no one should be punished without the Warden being present. I think the Warden a authority to punish should be limited.

E. NEWTON.

Adjourned till 10.30 a.m. tomorrow

Investigation resumed at 10.30 a.m. Thursday.

EDWIN NEWTON, recalled.—I knew prisoner Lewis. I saw him very frequently; the general opinion of the guards was that he was insane; that was the opinion prior to his being struck with a key by Mr Stedman a month before that I thought him insane: he was under observation by the guards generally. I cannot say that it was by orders; I had not orders to watch him, he had been confined to his cell a fortnight before Stedman struck him; during this fortnight he was periodically violent, and was quiet at times; he would say that he and another party had murdered a man in the States', I heard him say this. I believe reports were made by the guards that he was noisy: for weeks before he was placed in his cell he would sit for hours in the dining hall, and if the Doctor, or any one else spoke to him, would burst into tears, and say he had murdered a man in the States.

E. NEWTON.

Mr. GIFFARD, sworn.—As Prison Guard: was appointed at the opening of the prison; about May, 1876, Stedman struck prisoner, Andrew Edwards, with the palm of his hand, in the dining room; the prisoner had a piece of bread or meat in his hat, Stedman struck him with the palm of his hand in his face and then took the bread or meat from him; the first assistance we received was from the Doctor, who tried to treat the prisoners very humbly, especially when assaulting, if they would into the step; he had a stick about two feet six inches long, and the ferule was of iron and was six inches long; he would stamp this down on their feet and legs, especially the old ones: none in particular: a prisoner named Gibbons from Hamilton: I saw him about once the last time several times. Gibbon is over 70 years old. I was the guard on corridor duty the day after Dillon was caught in the yard. I accompanied Dr Atkins and Stedman to the dark cell. he (Dr Atkins) saw a cut on the prisoner's forehead and asked the prisoner what did that: before the prisoner replied, Mr Stedman said he struck him with a stick; what the Doctor said I did not hear. I then accompanied them round to the dark cell where prisoner Carson was. he (Dr Atkins) asked it he had any complaints, and he said no the Doctor then left. I saw Mr Stedman when he was within the gangs to April last cell on Mr Gill said him was the first that was lying in the box; Gill replied that it was prisoner Combs he (Stedman) went up to the box and took off a lot of prisoner's coats that were lying on top of the prisoner and made him get up. He said "What is wrong with you, the prisoner replied I am sick." Stedman struck him in the chest with his fist, and said, "You are not up in the guard-room now the bread you get does not agree down easy there in an hotter on it. he then ordered him to be sent in. the blow was given with a closed fist, but not a very hard blow. at the time Dillon was found we had been two days and two nights looking for him. I have never known the Warden or Mr Beaumont to show any difference in the treatment of the guards on accounts of their religion.

In the fall of 1874, one night when I was in the bailiff's room with the bailiff and Mr McCarthy Stedman came to the door and called me out and asked me to come down to the office as he wanted to speak to me. I followed him down, and went into the Warden's office he closed the door and asked me if I would work in with him to try and put the Catholics out of this. I looked at him for three or four seconds and replied, I could not do such a thing—my wife was a Catholic." I then turned away and walked out. I knew prisoner Lewis; I brought him from the Toronto Gaol at the time the Prison opened. I remember the time it was and he was struck with a key: I had him in my own gallery up to two months prior to his being struck and saw his several times during those two months; the impression I and the other guards had was that he was getting crazy. I think he had been in the cell a week at the time he was struck. I missed him from the yard: he used to shoot in the corridor mornings and eights prior to the striking. I did not see Stedman strike him, Guard Evans said he saw it. Lewis' prisoner Eadie, he said he made boots and shoes for Stedman: any boots and shoes I got I had for to Mr Short: this was in November 1874. Stedman kept the accounts of the shoeshops. he (Eadie) made boots for other guards. I know Guard Uniacke: he considered a friend of Stedman's, I do not consider myself a friend to Mr Stedman. I knew of partiality towards guards by the Warden and Stedman. I did not see any on the part of Beaumont. In the fall of 1874, I took my gang to bathe at 9 minutes to four I went to the bath room on my way going up stairs, I met Guard Uniacke with his gang coming down, having bathed, I then went up, got my gang stripped and washed there about two

minutes when Mr. Stedman came rushing up, and asked me "if I was this Institution," I said no, what do you mean?" he said he would let me know, and he reported me to Chief Guard Beaumont. Mr Beaumont came with him to the bath-house, and asked me if I was there before from 1 to 2 " yes," that my foreman gave me five minutes to get over to the bath-house, and that meaning Guard Unnicke's gang coming down from bathing. I thought I was right in going up and getting ready to bathe my mess; he replied it was all right, he saw nothing wrong. Mr Stedman met Unnicke's gang from the bath-house to the prison, and did not report him: I was in charge of the lumber yard gang, and supervised the gang in the crushing shop and the blacksmith shop gang in the fall of 1874. In December I came out of the lumber yard with my gang of fifteen men; we were taking stocking to the north and south machine shops; I had to divide the gang, giving six men to Mr. Thompson (the foreman), they went to the north shop, I to mine to the south shop, I gave Thompson instructions to bring the men to me, and instead of doing so he let them come around by themselves, and at the turnstile they met two other gangs having no guards with them, and got talking together; Mr Stedman saw them. No time came to me and asked me if I had any men round in the yard, I said "you six with Mr. Thompson," he then censured me in a surly manner in front of the prisoners, and reported me to Mr. Beaumont, I reported him through the Chief Guard to the Warden. The three men gangs belonged to Guards Doherty and Unnicke. As reported Doherty and me and Guard Unnicke, which I reported through the Chief Guard to the Warden and brought before the Warden in his office the bathing case. After I reported this to the Warden, he (Stedman) used to visit me eighteen times a day and before that he would only visit me two, three or four times. On 2nd January 1875, I was on guard-room duty (it being Saturday). I was on corridor parrol from half past twelve until one o'clock, and was relieved at one o clock, and went to the guard room to get my dinner I went into the guards dormitory took off my revolver and belt, hat and cloak, and laid them down on one of the married men's beds, and then went to dinner After dinner I came back to the dormitory when Guard Kirkpatrick called me and spoke to me I talked to him quite awhile, I should say about one hour,—I then laid down on the bed and in doing so I moved my belt and revolver but did not thought of the revolver until the next morning when I went to the cupboard used as an armoury, to get my revolver and could not find it. I asked all the guards if they had seen it, I supposed they had played a trick on me or that some one had taken it in a mistake, I took a revolver I found hanging in the cupboard. I supposed it to be Guard Unnicke's. About ten or fifteen minutes afterwards I was out with my gang when Chief Guard Beaumont came to me, and asked me if I had my own revolver I said "no," and told him about not finding my own. He said Stedman had reported me for a prisoner whom he had said that he had found in his cell the night before at half past six, at a quarter past one I was sent for by the Warden, I told the Warden the same taste I have now stated. He censured me, and told me to get my revolver from Mr Stedman. I asked Mr Stedman where my revolver was And he said in his room, I went to his room and found the revolver lying on an arm chair with prisoner McCarthy pumping an oil painting alongside the chair I looked to see, and found the revolver loaded, I reported this to the Warden through Chief Guard Beaumont. The Warden cleared Mr Stedman of all blame at the evening court parade. He read my crime out of the crime book, but did not censure Mr Stedman for leaving the pistol on a chair beside which a prisoner was painting. At the same time, there was an order at the back for the guards to sleep with their revolvers under their pillows, and that was why I had the revolver on the bed" At the time I was brought before the Warden, I stated the pistol was as safe on the bed, as in the cupboard which could be opened with my little finger About four months after this, the Armoury was built. I saw that Mr. Stedman had got Guard Unnicke's revolver three times in the dormitory lying on the bed. I knew because he came and asked at the mess table where it was, and stated he found it in his bed. Don't know whether it was reported or not, it was never read out in orders. On the 6th or 8th April 1875 there was a rattle in the guards dormitory I saw the armoury wide open in which were the rifles, revolvers, and keys of the prison leg irons, and handcuffs. The three guard room warders (prisoners), were in the room sitting opposite the armoury and no guard was in the room. I told Mr Hill and he

and I stood there until the guards came out. The mills was then going on. It was between six and seven in the morning. It don't know if it came to the Warders notice. The mills was for a watch.

I have not in any occasion given information to the Press, or to any one with a view to its going to the Press, with regard to the Central Prison. About a week after the Barber escape, I sent a note to discharged Guard Wall. I was told that Wall had written a letter to the "Irish Canadian," and had read the article said to be his. When Wall was in the prison, I knew nothing against him but drink. I have learned that his character is not good, and have dropped his acquaintance. The reason for my writing to Wall was not, that my letter might be published. He (Wall) had been my supernumerary for months, and I thought he had been friendly enough with me. I see now that I did wrong. I made a report in regard to my supernumerary, Wm. Mansell, to Mr. Stedman. I handed it to him in writing; he refused to take it, saying he would settle with Guard Mansell himself. Then was the day Barber escaped.

To the Warden of the Central Prison.

SIR,—I have to report Guard W. Mansell, my supernumerary, for neglect of duty, on Thursday, 27th, I charge him for giving his rifle to prisoner Foley, and taking the mark for ten minutes and working with it. And I charge him with laying his rifle down amongst the prisoners, four times during the day, and while he left the gates were open.

I also reported to Mr. Wall, that Mr Stedman had allowed Barber (a prisoner) to see Joyce (a visitor) on Sunday and also, that Barber was allowed to get the long key of the principal doors of the prison. I have seen this.

WM. GIFFORD.

Investigation resumed at 2.30 p.m. 2nd November 1876

Guard GIFFORD, recalled.—At the time of the escape of Barber I was ordered to take a ladder to the front of the north wing, in order that the slater might be carried up to the roofers. I did not call the attention of anybody to the ladders being there. Stedman told me he had let prisoner Barber see Joyce the visitor and that he was afraid of being dismissed on that account. Stedman after Barber's escape, gave me his revolver, and told me to go and see Joyce, and try and find out where Barber was. I could not find out where Joyce lived, and reported the same to Mr Stedman the next morning. Stedman told me that Barber's wife lived out in the country and that it was likely he might have gone there, and that the Warden had sent a detective after him; three prisoners escaped from the field gang, about the 31st January, 1876, and were brought in by an armed party, says there was only one the prisoners names were Wylie, Demers and Cunningham Wylie is the only prisoner unreturned. I captured Demers the day after the escape between Goodwood and Stouffville. I believe there was ill feeling between Stedman and Mr Short, the Barrack about the end of January 1876 I was in charge of a gang unloading stone. I had a prisoner under me by name of Fairchild who said he was sick, and unable to work. I had to coax him to work, and said he might be better after dinner. After dinner he was no better he complained of cold and vomiting, so I sent him into the blacksmith's shop to warm himself and told him to come out again in about ten minutes time and I would report him sick. while he was absent I was called away for my pay and to relieve the Wall Guards, and while I was away the Warden on going his rounds, found Fairchild and other prisoners in the blacksmith's shop he asked Fairchild what he was doing there Fairchild said that I had sent him there I was sent for and met the Warden in the dining-room the prisoner was present, and so was Mr Beaumont, the Chief Guard. Beaumont asked the prisoner if he had reported himself sick, he (the prisoner) replied, yes, three mornings running. Mr Beaumont asked who he had reported him self to, and his answer was, to a prisoner not a guard. Mr Beaumont asked him if a guard unlocked him in the morning and he said Yes. In the south wing then and in both wings now the prisoners were unlocked by prisoners called cleaners. this was in accordance with Mr Stedman's orders. the Warden gave Mr Beaumont orders that no

fixture the cell doors were not to be unlocked but a prisoner in the mornings ; since Mr Stedman acted as Chief Guard this order has not been obeyed. Mr. Beaumont obeyed the order during the time he was Chief Guard : in the month of October, 1875, I was in charge of a field gang, and had Guard Mansell as supernumerary ; the prisoners were culling turnips. Guard Mansell left my gang and went and talked to Charles Wall and Johns for over three hours, and I left the field with my gang without Mansell having returned to me ; I made a written report of this to Mr. Stedman, and he told me to take my twelve men out again, and gave me a note to Mansell, and said that he (Stedman) would see to the report, but I never heard of it being so, nor at the subsequent courts I never heard it mentioned. Captain Prince was at this time away on leave ; Mr. Stedman kept prisoner McCarthy (the man whom I found standing beside the chair) in which I found my revolver) : his room, making oil paintings : I saw saw McCarthy doing anything else than painting, and during one week he was breaking stones. McCarthy was in the Prison a year ; Mr. Stedman got a lounge made in the summer of 1874 ; the prisoner who did the plastering was working with the Canada Car Company, under me ; Stedman came and took him away from my gang ; he kept him two days and his time was drawn in the book the same as if he had been working for the Canada Car Company.

WM. GIFFORD.

EDWARD HALL, sworn.—An Irish guard, was appointed in March, 1875. About February 1876 Mr Stedman came to me in the guard room, and told me to take off my slippers and to go up the further end of the creek, being the opposite end of the corridor from the stairs, and try and find out who was making a noise. I went up and found it was a prisoner in Number 6 Gallery one whom I had supposed to be insane. I called to some of the other guards on the corridor, "That is the man who is making the noise," he was yelling "Capt. Prince Murder." Mr Stedman came up with Guards Doherty Mansell Eamer. Mansell had a lamp. Mr Stedman unlocked the cell door and went in and asked what he was making a noise about. I could say just what the prisoner said it was something about his brother and then he called out "Capt. Prince, Murder!" I saw Stedman unlock the cell door and go in. I did not see anything after he went in until I heard the prisoner groaning. I then looked in and saw the prisoner lying on his right side on the bed. Mr Stedman had his two knees on him and was striking him with a long key. He struck him several times across the back. I cannot say whether the prisoner had his coat on or not. Doherty and Mansell were both in the cell, and I could not see very well what was going on. I saw Doherty strike the prisoner with his fist, while Stedman had him down. I don't know the name of the prisoner. I heard it was Lewis. In April 1877 I was on night duty. I went on in the middle of the week in place of a guard who was found asleep. I found a prisoner named Shaugh from Kingston in room in the East Dark Cell of the south wing. How long he had been there I could not say. Guard Eames told me five days and nights. I went in on Wednesday he was kept in room on Thursday. I can't say whether on Friday or not. The report book will show, as I made report to Guard Eames. I visited the prisoner every hour as I was sitting, he would die. He was constantly hanging by his hands and when I would go to him he would say "Thank God there is another hour gone by." I don't know whether his was taken down to use the buckets or not. I had not the key of the cell and could not get in. The key was locked up in the Armoury and could not be got unless by orders of the Chief Guard. I was on night patrol.

Report book produced, entry under 1st May, 1875 John O Shaughnessy for insolent language to Deputy Chief Guard, seventy-two hours in irons."

In the spring of this year I had a prisoner named Coush in my gang. He had previously been a guard-room waiter and had tried to make his escape. After he had been in my gang a few days he complained of being sick. I asked him if he had reported himself sick to his guard in the morning, which is the usual custom, he said no he did not feel very sick then. I told him to wait until noon, and that if he did not then feel better I would take him before the Chief Guard. He was not better at one o'clock, and I made a verbal report to Mr Stedman. He said he was to go out in the stone pile until the doctor came, and he would then be sent for. Prisoner replied, "put me in the dark cell." Stedman replied "I will put you where I choose." Coush went with me to the gang ;

when he got out he said, "Mr. Hill, I can't work." I told him to go and sit on the stone pile where the sun was shining. While he was sitting there, Guard Mansell, who had charge of the lands at that time, came by, and passed a remark how sick he looked. I said I would not help it, I had reported him, and yet he was ordered to come out. About the middle of the afternoon Comb went and laid down in the box we had for measuring enemel. I missed him from the place he was lying on the stone pile, and found him on the box covered up with some of the coats belonging to the prisoners. He was groaning. I thought he was very quiet and did not disturb him during the afternoon. Mr Stedman came, and I told him about Comb being so very sick. He asked where he was and I took him. He told Comb to get up, saying, "It is no good playing off like this; you need to eat plenty of butter on your bread in the guardroom, and now the dry bread sticks in your throat," and he shook him in the chest, with his clenched fist. His face took him inside. He was taken to the hospital and ultimately died. Prisoner Dillon was in my gang. He and Stedman struck him over the left eye, after he had given himself up. (Dillon had tried to escape.) He said Stedman struck him with a cosh and knocked him down. The left upper corner of his forehead was cut and bleeding, and that part of his head was badly swollen. Each day he kept getting worse, the swelling increasing, he being hardly able to see out of his left eye. On the second day he fainted away. I had him taken out of the sun, put some salt in his mouth and poured water in his mouth. He was sent inside. I saw him next day with a poultice on. He did not come out to work for three or four days. I never saw any difference to the treatment of the guards on account of their religion. I have not reported anything to the press as to the affairs of the Prison.

EDMONDSON HILL.

MAURICE UNTACKER, sworn.—As prison guard. Was appointed at the opening of the Prison. One night during last year that I was on duty there was a prisoner in the dark cell of the name of Hookey. He was tied to the ring. Mr Stedman asked me to come down as the prisoner was making a noise, as I told me to loosen the prisoner. I did so, and with Mr Stedman's assistance brought him out. I put the handcuffs on him to bring him to the dungeon underneath. Mr Stedman gave the prisoner two blows on the side of his head with his clenched fists. The prisoner was making a loud noise. We put him to the dungeon. Hookey had been several times in the dark cell and was generally noisy. Prisoner Charles Gibbons was an old man. I was in charge of a party in the lower end of the North Wing cutting hair. I saw Mr Stedman at the door of the cell in No. 11 Gallery, and saw him take a pipe from Gibbons who had been smoking, and strike him twice on the side of his face with the back of his hand. Gibbons has been in the Prison three times. He was not fined as generally good and he was quiet. At the time prisoners Dillon and Carson were searched I was posted at the north gate. We heard that the prisoners were found. We had been up two nights looking for them. I went into the corridor and saw the prisoners standing there. Mr Stedman came in and I saw him strike Dillon on the head with a stick once, and once on the arm. I think the stick was a walking stick. Dillon had said nothing to Stedman. He poked the stick against Carson's robe pretty forcibly. There was a prisoner in the North Wing named Lewis (a lunatic). I was standing on the landing leading out from the Guards' Dining Hall in company with Mr English (the bailiff). I heard the cry of the man, and from the nature of the cry thought he must have been struck with something. I heard the other guards say it was with a large key. I had seen Lewis before this several times was under the impression that he was not right in the mind. Other guards remarked to me that he was wrong in his mind. He had been in the hall for several days. I can say what for as I was not in charge of that gallery. I have never seen any difference in the treatment of the Guards on account of their religion. I have not made any report to the Press about the affairs of the Prison. I once left my revolver in my bedroom. I had had taken my belt off and forgot it, and went to my tea. I was reported to and brought before the Warder but the offence was not read out at the Court. I left my revolver another time. I was not brought before the Warden then time. I never brought my gang in to bathe before four o'clock. It might have been a minute or two before that o'clock. It was nearabouts at my rate. I do not know that there is any ill feeling towards Stedman on the part of any of the guards. I never saw Beaumont strike a prisoner.

M. UNTACKER.

HAMILTON LYONS, sworn.—As prison guard; was appointed at the opening of the Prison shortly after the Prison opened, three prisoners concealed themselves away in the engine house, with a view to escape; Guard Gracey was on duty, and found the prisoners concealed in the engine house, between the top of the boiler and the ceiling; I went to assist Steedman, who told them to come out; they would not, and he caught hold of one Hoffman—he pulled him out between the rafters; I caught hold of one of them and he kicked me; I threatened to shoot him; he said not to touch him, and he would be quiet; I kept my revolver in my hand until we got them all out; by that time all the guards were gathered round; the Warden was sent for and the prisoners taken into the corridor; Mr. Steedman struck one of them with his fist, and knocked him from one side of the corridor to the other; I stood with fifteen or twenty feet of Steedman at the time; the prisoner did not say anything to Steedman previously to his being struck: Guard O'Brien struck another; I said it was a diamond chance to knock man about in that way; on several occasions I have seen Mr. Steedman, while the men were marching, strike them on the head in and feet with a stick, when they did not march in order, or kept their hands down; I have seen a good deal of ventilating shown by guards on several occasions; I have applied to the Warden for leave of absence, to go out on family affairs, my wife being sick—I sent in word by Chief Guard Beaumont, and he came out and said the Warden would not grant leave. One time I asked the Chief Guard to allow me to see the Warden personally I did see the Warden who refused me leave, saying it was a nuisance and a disturbance and to put in my resignation and leave altogether. I asked Why? He said all the guards said so. I asked him to bring in any of the guards who had said so and he refused. He said he would transfer me from the gate to the wall. I asked him if he would allow me to see the Inspector, he refused, saying I could go after he saw two other guards (John and Easson) applied to go down town and they were allowed to go; they had leave twice or three times. Some time afterwards I applied to Mr. Steedman for leave to go to town for memorials for my wife, and he said it was no use as the Warden had refused to allow me to go. This year I applied to the Warden for permission to get some clothes made up told me it was not allowed the very next week Mr. Steed's son, who was working with him, got a suit of clothes made without the Warden gave permissions or not, I cannot say. Previously to this the bar at the gate was opened and my papers and my books stolen. I am not able to give the date. Last year I applied to the Warden for permission to get shoes made for my family and he refused a short time after that Store-keeper McCarthy and Guards Easson and Johns got shoes made for their children. can't say if Warden gave permission. I have never given any information to the press regarding the affairs of the Prison. I have been taken from the gate and put on watch to the guard duty and sometimes to allow me to go away on Sunday. I claim that my duties should be confined to the gate as I am gate keeper Mr Steedman has put in charges against me privately when Mr Beaumont was Chief Guard

HAMILTON LYONS.

DANIEL UNDERSHAW, sworn.—As Cook and Baker. Was appointed 6th May 1878 About June, 1878, there was an old man in the prison Mr Steedman came to me and said he was around the galleries about twenty minutes before and found this old man on his knees as though he might be praying and that year now he found him smoking, and he (Steedman), said "come and I will show you some fun. I did not go, but Steedman went to the old man's cell, and I saw him kick him several times as he went down stairs. It was in the first or second gallery in the north corridor. I don't know the old man's name. He did not fall Steedman kept kicking him as he went along. Not long after this, Steedman was about putting Hickey into the dungeon. I had to go down to let him in, as I had charge of the key of the doors leading to the dungeon. Mr Steedman and Guard Unsecke were putting the handcuffs on him. After he was handcuffed Steedman struck him with his clenched fist. The prisoner was very noisy and was making a noise when Steedman struck him. I have never seen any difference in the treatment of the guards on account of their religion. Complaints have been made to me about the cooking of the food for the guards room sometimes as to its being underdone, and at other times overdone. I have given no information to the press as to the affairs of the prison. A Mr. Bowcott came to me to get information and I referred

him to the Warden. Everest promised me to give him information as to cruelty to prisoners.

D CUNNINGHAM

JAMES CLARKSON sworn.—An Engineer for the Central Prison. Was appointed at the opening of the PRISON. I knew nothing about the treatment of prisoners, or the discipline of the Prison.

SAMUEL DEAN sworn.—An Prison Guard. Was appointed 6th May, 1875 I have seen no act of cruelty to the prisoners nor have I seen any difference in the treatment of guards on account of their religion I have not reported anything to the press as to the affairs of the Prison There was an undersized man with long light whiskers who assisted in furniture in the Prison. I told him to go to the Warden he came to my house.

SAMUEL DEAN

WILLIAM JOHNS, sworn.—An Prison Guard. Was appointed 14th February 1875 In 1875 a man by the name of Stedman was hidden away I can't give the precise time. When he was found and Mr Stedman was putting him in irons in the dark cell and after he had the irons on, Mr Stedman struck him on the side of the head with the back of his hand, and said, " you b " " you have got a good guard appointed over you. I saw him strike an old man (Edwards), for taking beef from the table and eating it in his hat. About five months ago I saw Stedman strike a prisoner named Harrigan who came in saying he was sick, then there was something the matter with his arm Stedman punched him in the stomach with his fist, and caught hold of the lame arm and raised it up and made the man cry out. Harrigan belonged to my wing He told me he was put down in irons, that he was not sick. He did not want to get instructions from the Warden. I put Harrigan in irons, and then told Stedman the man was screaming. Stedman then went into the cell and commenced punching prisoner in the ribs saying "you are not sick." The prisoner kept saying " don't Mr Stedman." The prisoner was taken down in about three hours. He was sent to Grand Dean. He was employed before being punished, in the brown School.

A prisoner named Farrell looked very sick when he came to from work Guard Eames reported it to Mr Stedman who ordered Farrell to be put in irons Eames went to do it and could not effect it alone, so he came for me to help him the man was so sick he could not stand up and we had to lift him and forced his hands to the ring. I held him up while Eames put the handcuffs on him irons away and Eames locked the dark cell door, I said to Eames "we had better see Stedman about that man." Eames then went back to the cell door and found the prisoner hanging by his arms, his head hanging on his shoulder, we then took the responsibility of taking him down and left him lying on the floor and Eames reported the case to Mr Stedman who said "let him lie there" and he was left there the doctor came the same day and treated him as a sick man was ordered to put prisoner Reay (colored man) in irons but could not do it. I told Mr Stedman and he drew his revolver and pointed it at Reay's head Reay said he would not go into irons until he saw the Warden. just then the Warden came and ordered him in irons Mr Stedman then put him in irons, he being quiet. I got orders from Stedman not to let him down for any purpose, and he directed me that when the prisoner wanted to use the buckets to place it on a chair and loose his pants, and when the prisoner was done with the buckets, to button up his pants after cleaning the prisoner; was ordered by Stedman to put the prisoner Wells in irons I do not know what for. He was treated in the same manner as Reay I have not seen any difference in the treatment of the guards on account of their religion. I have not reported anything to the press about the prison

WILLIAM JOHNS.

Investigation adjourned until 7 30 P M.

Resumed at 7 30 p.m

HENRY EAMES, sworn.—An Prison Guard. I was appointed at opening of Prison about two years ago I was on evening duty and heard some shouting in the north wing I saw Mr Stedman and Guards Doherty and Mansell going to the north wing Mr Stedman had a long

key in his hand; I followed them, when I got there I saw Stedman kneeling on (Lewis') prisoner's chest, and striking him with the long key. I did not stop to witness the whole, but came away, Lewis was shrieking, Guard Doherty was holding him, while Stedman was beating him. Mr Beaumont told me in the morning that the case was reported. I thought Lewis was insane prior to the beating by Stedman, and other guards told me they thought he was insane; when Stedman came back to the guard-room he had the key in his hand; he said the key was bent; he did not say that Lewis attacked him; about April, 1879, prisoner John O'Shaughnessy had been reported for talking, and the Warden stopped his supper. Beaumont brought the report to me, and told me I was to tell him to go without his supper, as he was reported for talking; I told the prisoner his supper was stopped, and he said "very good;" Stedman came up behind and asked what he said, I said "very good;" Stedman followed the prisoner to his cell; I do not know what took place there; Stedman came back and told me to put the prisoner in irons; he remained in irons five days and nights; I had charge of him in the day time, and Guard Hall and others of him at night part of the time, and Guard Sinnston the balance of the time; during the time I had charge of him (in day time) he was taken down to his meals; his hands were loosed, but his legs remained in irons; the meals were given to him in his cell; his food during those five days was one pound of bread per day; during those five days he was in irons he was very close the second day he was in irons he asked to see the Doctor, I sent in a report to the Chief Guard that he was sick; he never came; the Doctor never came to my knowledge; on the fourth morning when I went in his cell to relieve Guard Hall he told me the prisoner had been moaning during the night, and he thought something was the matter with him. I went into his cell to see what was the matter and the prisoner told me that during the night he vomited the biscuit he had put down to me, it, he had not vomited the salted mixture in his pants. he also said he wanted a drink of water, but couldn't get it. I had to lower him down from the ring and when I gave him some water he dropped down on the bucket, when I gave him his bread, I returned to his cell after breakfast, and I found that he had not eaten the bread, and that he was asleep. I allowed him to remain up in the ring again, but could not. I reported to Mr Stedman that he was much exhausted not having eaten his bread for two days, and that it would be dangerous to put him in irons any more, that he was low for gone he replied "let the d—— dog die" Stedman did not go down to see him at that time. I got one of the prisoners to help me put him up; he remained up all that day and night until the middle of the next day, he was then taken down and removed to his cell. He remained in his cell the remainder of that day and all the next day lying in his bed and the day after was sent to work. About nine months ago a young man named Farrell, about nineteen years of age, reported himself sick from one of the shops. He was brought in and Mr Stedman ordered him to be put up to the ring, I was not able to do so as he would not stand, and I got Guard Johns to help me. We put him up, but he bore all his weight upon his hands, so I told Guard Johns I would wait and watch whether he would rest on his feet but I found he did not stand on his feet, so I took the responsibility of taking him down. His head was lying on his shoulders before I let him down. When I let him down, he lay down on the cell floor. I reported the circumstances to Mr Stedman. He left him there on the cell floor until the doctor came. The doctor came in the evening. I went with him to the cell. The doctor said he had a touch of the fever, and he was sent to his cell under the doctor's treatment. About two months ago a prisoner by the name of Collins was working at table on the bench in the dining-room. Mr Stedman brought him to me and told me to put him in irons. I don't know the offence. When I got to the dark cell he refused to be put up in the ring until he had seen the Warden. I reported the fact to Mr Stedman and he went down to put the handcuffs on him and afterwards abused him a great deal. He jammed his head against the wall until the blood came out of his ears and then fastened him to the ring. He was released, by order of the Warden next day. About nine months ago Mr Beaumont was transferring some of the reformatory boys from the north wing to the south wing. I remained in the south wing. Mr Stedman said to a prisoner named Gamwell "come along with me, I want to show you something." We took him in the dark cell, where I saw Stedman draw his revolver and put it to the prisoner's face and my —do you see that? you will get the contents of it if you don't behave yourself" as the south wing and then sent him to his cell. Prisoner Gordon reported himself unfit for work about four months ago. Mr Stedman brought him in and

told me to put him in the dark cell but not in irons I asked him if I should give him his food and he said "no." He was there until the doctor came that evening. I heard the doctor say he was sick, and ordered him to be sent to the hospital. I have often seen Stedman run the stark to men when in marching order but not lately. I did not think much of it. I never saw any difference in the treatment of guards on account of their religion. I have not reported to the prison any of the transactions of the Prison

H. Rewse.

Michael Woods, sworn.—Am Prison Guard. Was appointed 4th Feb., 1876. I have not seen prisoners ill-treated. Have never seen any difference in the treatment of guards on account of their religion. I am not satisfied with the food we get at mess. I think the dietaries are severe

Michael Woods.

John Beradalbane Campbell, sworn.—Am Prison Guard. Was appointed 13th April 1875. I never saw any cruel treatment of prisoners. Have never seen any difference in the treatment of guards on account of their religion. The food at mess does not suit me.

John B. Campbell.

Geo. Franks sworn.—Am Prison Guard was appointed 3rd July this year. I know nothing of ill-treatment of prisoners. Have never seen any difference in the treatment of guards on account of their religion. I don't think the food at mess is properly cooked and we have not sufficient variety

G W Franks

Chas Priest sworn.—Am Prison Guard. Was appointed 9th January, 1875. I know nothing of cruel treatment of prisoners. Have never seen any difference in the treatment of guards on account of their religion

A C Priest

William Gardie, sworn.—Am Prison Guard. Was appointed in August, 1874. About four months ago, prisoner Diller and Carson attempted to escape, and were found at three o'clock on Sunday morning, and brought into the corridor. I saw the Deputy Chief Guard (Stedman) beat them with a stick. He struck them both several times. It was a walking stick. I saw nothing more. I have seen no difference in the treatment of the guards on account of their religion. I knew Mr Beaumont, I served in the 15th Hussars with him. I was sergeant. He was sergeant at the mess mess with me for about two years. I was with him ten years in the regiment. At the time I joined the regiment he was under arrest for theft or something. He was tried by a District Court Martial, and sentenced to imprisonment in a military jail. I cannot say how long it was—either forty two or fifty six days—and he was reduced to the ranks. the crime was stealing away with the soldiers clothing. He had been seven or eight years in the regiment before I entered it. Since I came to the Central Prison, Mr Beaumont spoke to me about our being in the Hussars together and also spoke about the cause for which he was tried. He said that at the time of his appointment to the office of Chief Guard he explained all to the Government. He told me some one had written to the Government after his appointment, informing them as to his difficulty to the army and I think that caused him to tell me.

W Gardie.

Adjourned until 2 p.m. tomorrow.

Investigation resumed, 3.15 p.m. 7th November.

W J Aikins, sworn.—Am Surgeon for the Central Prison. was appointed at the opening of the Prison. knew prisoner Lewis. I certified on the 5th January, 1875, that he was insane. I understood Dr Richardson and the County Judge also examined him separately and gave similar certificates. he was sent to the London Asylum, 13th July, 1875. I have

no other entry regarding Lowis, and have no recollection of anything further as to his insanity. I have a distinct recollection of being told that Lowis struck Stedman, or struck at him, with a part of his bed, but I cannot say whether it was Stedman told me or not; I heard that Stedman had struck him with a key. I don't think I examined Lowis' body. I don't recollect Lewis making a complaint to me; on reference to my diary, I find the following entry under date February 15th, 1875:—"Lewis, William Guard, and John Elm, prisoners insane, sent to Lewden Asylum this morning"; Elm had fallen while marching in the square and severely injured his right arm; it was uncertain whether there was a fracture without displacement and crepitus; at was still very much discoloured when he left the Hastings. I do not recollect anything about Lewis being gagged. I understood the rules of the prison required that I should be present on all occasions when corporal punishment was inflicted: I was not present when prisoner Finlayson was flogged in January, 1875, and would falsely never heard he was flogged. I know prisoner Dillon; I remember him having a contused cut on the upper and lower part of the forehead, which did not extend to the bone, or to the covering of the bone. I ordered a poultice to be put on the wound. I understood he had been struck by Mr Stedman. I think it was after his capture; his Dillon had escaped and was recaptured. I know prisoner Comb., he was one of the Refractory boys; he was a soft, quivering lad. I understand one day he had been sent out to the dress yard on the 9th March 1875. He came into the cell and on the 10th March was sent to the Hospital. He died on 3rd May of pleurisy and inflammation of the lungs. I think I know prisoner Farrell, on 27th April, 1876, I visited him in his cell—I do not think it was the dark cell. I found him feverish and ordered him a warm bath and a powder to act as a emetic and purgative this statement I make in reference to the Hospital day-book no further entry is made with reference to him. If he had not been better there would have been an entry. I have heard Farrell's evidence read and I may be correct that I visited Farrell in the dark cell. I don't recollect prisoner O'Shaughnessy there is no entry in the Hospital day book Mar 12 1876. O'Shaughnessy complaint dose of salts and senna. Last night Mr Stedman showed me some the charges against him and I find he was placed in irons 7th May 1876. I know prisoner Gordon he was being treated for gonorrhœa and swelled testicle from the 16th, 18th and 20th June 1876 on 21st was sent to the hospital. I can't say whether I saw him in the dark cell or not. his discharge from the hospital has not been entered but he was evidently out of it by the 4th July as on that day he had his scrubbing stopped, and was able to work and did not remain in the hospital, and on the 8th he was treated again but was able to work. No charge of cruelty to a prisoner or any person has been made to me as Prison Surgeon. I don't remember dressing any wound for any prisoner other than Dillon and Gunstock. Gunstock had bruised marks across the small of the back and ends I understood he had been punished and I thought they were pretty severe the flesh was well discoloured but the skin not broken. I don't recollect any prisoner reporting any cruelty or injury under cover by which in irons. I cannot say the date Gunstock ordered me to pronounce whether a prisoner fit in the dark cell, was fit to be put in irons again. he had been in irons and I think he had been let down prior to my seeing him. he was a delicate lad about 18 years of age and I gave my opinion that he was not fit. On another occasion—I can't give the date or name—I was asked to see a man who was in irons, and found he was sprung and coughing and told the guard he was not a proper case to be put in irons and he was taken down seems six weeks ago I was asked to see a prisoner in irons and I found he was fit for that kind of punishment on several occasions I have been asked to visit prisoners in irons sometimes the Warden and at others Mr Stedman on one of the guards would ask me to visit prisoners in irons. I don't recollect being called to see Dillon Stubbs Sparkman O'Shaughnessy Wells Farrell Barry or Collins while they were in irons I think it is likely I was called to see them, but don't recollect. I have sometimes talked to prisoners when the bears would come into their cages, and when they expressed penitence they were taken down without my asking. I find no reference in the hospital day book that on August 5th 1876 Harrigan presented himself as such and had a dose for alleged indigestion. I did not consider him sick but gave him the benefit of the doubt on the 11th of the same month he complained of a pain in the shoulder. I gave him some turpentine and water with which to rub his shoulder he did not appear again. prisoners often believe they are sick when they are not, and I am satisfied they often feign sickness when well. I have often remarked to

Stedman that prisoners feigned sickness, or that they believed they were sick: I have heard a prisoner say who was in irons, that he would rather be in irons than work; my opinion is that it is better to flog a man than to put him in irons for over 48 hours. I think it would be more wholesome to the rest of the prisoners, and more effective as a punishment: I think the prisoners prefer being in irons for a long time to flogging.

W. J. Atkins.

Richard B. Orr, sworn.—I am a final student of medicine. Was attending at the Central Prison Hospital under Dr. Aikens for about six weeks.—from 9th May until 25 June, 1876. I was there every day, sometimes twice hours at a time. I was also with the sick prisoners. Beaumont was not there. Stedman was Acting Chief Guard. Won't know the time when prisoners sentences expired. Some left during sickness; others had to remain three or four months after they were cured. I had no conversation with prisoner Dillon. I talked several of the prisoners in the hospital how they were treated; my reason was that I had seen charges of cruelty in the papers. A very large majority of them said they were well treated. I did not hear them express an opinion regarding Stedman. Some complained of their treatment but it was generally confined to the Prison diet. Shortly after Dillon was struck by Stedman, some of the prisoners were questioning me about it. I said that the guard had been kept up during the night, to try and find Dillon and Carson, and the majority of the prisoners said it served them right. Dillon and Carson right, that they had no business to [illegible] and the said they had done. I did not [illegible] Samuel Cross. I took my meals in the guard room. Sometimes one or two guards would be present. I have heard the guards complain of Stedman being too strict. I cannot recollect of any prisoner complaining of any ill-treatment by Mr Stedman. Am twenty-four years of age. From what I heard the guards say I should judge they had more liberty under Mr Beaumont than under Mr Stedman and that they preferred Beaumont on that account.

R. B. Orr.

Adjourned.

Investigation resumed at 8.30 p.m

Dr Aikins' examination resumed.—I find that on 27th April 1876 when I ordered the warm bath for Farrel I visited the Prison at 10 o'clock in the morning, and did not visit it in the evening. If a person's head was jammed against the prison cell wall until the blood ran from his ears, the probability would be that his skull would be fractured, and he would be prostrate. In such case his cause under my knowledge since the opening of the Prison I have known Mr Stedman ever since the Prison opened. I consider him a sober exceedingly industrious, very intelligent and active man and, so far as I am able to judge, he has discharged his duties with a great deal of intelligence and zeal and if he has erred it has been from excess of zeal in endeavouring to make the management of the institution as perfect as possible. I have never seen any harshness on the part of Mr Stedman to the prisoners. I have frequently seen him when a man would come up saying he was sick, give him a quiet poke in the side and say "I guess there is not much the matter with you," and frequently the man would laugh. He has displayed an interest in the physical welfare of the prisoners by calling my attention from time to time to the quality of the food or the way in which it was prepared also to the clothing of the prisoners, and on one occasion particularly when he called my attention to the fact that prisoners during the colder part of the year should not be allowed to take off a thick flannel shirt and put on a thin one. On another occasion he called my attention to the want of ventilation in the kitchen owing to the door leading to the store-room being closed. he also called my attention to the prisoners being taken out in the rain. He is a thorough disciplinarian and any man discharging his duty fearlessly at the Central Prison will make enemies, and Mr Stedman has made enemies. I have heard no complaints on the part of the guards against Stedman at was a man of mild-current of grumbling

W. J Aikins.

Richard Stedman sworn.—Am acting Chief Guard Was appointed Deputy Chief Guard at the opening of the prison, and on the dismissal of Beaumont on 5th March, 1876

I was appointed acting Chief Guard. I am not aware of being overbearing to Mr. Short, (the Farmer). In making requisitions, I acted under and in accordance with instructions from the Warden. I never said to bailiff English that the Chief would soon occupy Mr. Short's chair; and that I aspired to the Chief's position. I did not consider Mr. English friendly to me, and did not give him any confidence in that I was on my guard when talking to him. I did not indulge in expressions of hostility towards any of the guards. I have had frequently to report, more than any one else, the cook (English), for smoking, reading newspapers, and being asleep in the kitchen. Sometimes McCarthy, (the Steward), in friendly, sometimes not. I have had to report him, but cannot now say what for. I have frequently had to report Grand Acworthy, as he was very careless. Grand Cowan was insane. I had to report Grasp. I have reported Jacobs whenever I found it necessary, without fear or favour. I have never spoken to any prisoner about the offence of the prisoner and have not on any occasion invited the confidence of a prisoner. I did not strike prisoner Hunt as stated by Mr. Short. Prisoners' hair was always cut short up to the day of release, until about a year ago, since which time we do not strike the hair for a month prior to their release. I used Hunt just as all the others were used and acted in the manner of long existing written orders of the Warden. Willis was insolent to one of the guards, and as a punishment the Warden ordered him to be removed from the stores to the tread mills. I never cut up any prisoner or any [illegible] two four sheets made into clothes for a little coloured boy (a prisoner). we had no clothing small enough, and Mr Beaumont ordered them to be cut up. I knew prisoner Lewis he was one of the first prisoners moved in. He was a very troublesome man he struck a prisoner over the head with a shovel in the foundry about the end of December 1874. While I was on duty in the guard room there was a great row in the corridor I went out and the overseer guard came up and said prisoner Lewis was breaking up all the furniture in his cell I told Guard Doherty and two of the other guards, I forget their names, to go there and bring him (Lewis) out of his cell down to the dark cell where there was no furniture. I then reported him to the Warden. That was about half past nine p.m. I reported him to be breaking up his cell furniture, and tearing his clothes. He told me to tie his hands behind him to prevent him from his making such a noise. I went back to the guard room and got a sort of a piece of pine wood and made a sort of gag. When I got to the gallery I found the three guards outside of Lewis's cell, and Lewis inside defying them to come in. I told them to open the door and let me get to him as soon as the door was opened I saw Lewis with a shovel and when he had taken from his bed I had a long key in my hand and I struck him across the buttocks, and then closed on him and we both fell to the ground and that is the time he got the bleeding with the key and [illegible] Wilson and I were clenched together Guard Doherty tied his hands and gagged him We then left him sitting up on a part of his bed Guard Doherty is not in this country I told the Chief Guard to visit him frequently I reported to the Warder next morning that I had struck him with the key and that Lewis had struck me. The other guards—I don't know their names—struck him with their keys when he and I were down. I struck Lewis in self defence. Up to that time I never heard of his being insane. I did not hear any of the guards speaking about his being out of his mind. I told the Sergeant to report to me if he saw anything wrong. I gave no orders to him about the gag being taken out if quiet. In about three quarters of an hour the guard came to me and said "It is very little use trying that man, he has got his hands in front and has pulled the gag out of his mouth." He had found out all right, but he had his hands in front of him. I gave Finlayson 15 lashes across the buttocks with a rope's end. Finlayson was about 18. The Warden ordered me to inflict this punishment. Beaumont then commenced and flogged him over the head and shoulders with a white oak stick. He was very faint when I took him down and was covered with marks from the small of his back to the top of his head. The Warden did not order the beating by Beaumont. He had secreted himself with the intention of escaping and the punishment was for that. I remember bailiff English being brought before the Warden for making a noise the night previous, but do not recollect the particulars. I had nothing to do with Newton's statement had not spoken to Newton about it. When it was my night on I have often sat up until 12 o'clock at night when it was known if a bailiff was coming with prisoners. There is no order preventing boys going through the prison. I did ask Mansell if he was not aware of the

order against children going through the prison. As regards the charge made by Mr. McCarthy as to my keeping on my hat at Catholic service, and not allowing the men to kneel; I may state that it was fully investigated in 1876, and Mr. Crooks disposed of it. So far as I am concerned by ordering me to be removed. Since that I have never used any disedifying language to a Catholic guard reflecting in any way on his religion. The charge that I was ordered to hound down McCarthy is not true. The charge as to Guard Somers was investigated in 1877, and disposed of by Hon. Mr. Crooks. Mr. McCarthy's charges were all made at the investigation held in 1877, and were adjudicated upon. I produce the chair I generally use when on cell duty. It is a very light one; I sometimes use other canes, but they are all light. I have often tapped Gibbons on the heels to keep him in step, as well as other prisoners. Other guards have done the same. Sometime ago, the Warden ordered that practice to be discontinued, and it has not been practised since. The Warden made the order on account of Guard Mansell striking a prisoner in the front grounds, across the back; the Warden saw it. The general practice was to tap them on the heels to get them into the step. There are standing orders that for certain offences prisoners are to be put in irons, and then reported to the Warden; and in other cases for them to be put in the dark cell and then reported. I don't think those orders were in writing. The offences referred to were [illegible] same. Refusing, threatening the guards, and all insubordination and refusing to work for these offences the prisoners were to be put in irons and then reported. For talking, smoking or other minor offences the prisoners were to be placed in a dark cell, and then reported to the Warden. If a prisoner said he was sick, and I thought, when reported to me that he was shamming, it was in order that I should put him in irons, and then report. There were no chairs made in the prison for me. I made two chairs for myself. I made a table in the Guard Room and raised it myself. I got the board planed in the prison. I made the box myself and the inlaid work I did myself. I bought the different sorts of wood down town. The Warden gave three trees to Guard Uniacke. I gave him none. Prisoner Walter Jones was a waiter in the guard room. He can bone work for every guard there in the prison. I can't say how much he can for me. He worked in my room for the two and looks after them. Prisoner McCarthy painted for me in my room. The Warden gave permission. He painted pictures for the Warden; they are now in the building. He painted pictures for Chief Guard Beaumont, Guards Newton Hill, Gifford, Esmon Jakes and myself. The pictures—all but those of the Warden—were taken away minus by consent of the Warden. I can't say as to the rest. McCarthy was not able to work at anything else. I did not strike Jones or any other prisoner sufficiently hard to take the skin off his fingers, or to cause it to come off. I took other men's heads from prisoner he who had placed it in his head, and struck him on the ear with the back of my hand. It may have been Edwards.

Adjourned.

Resumed 10 a.m. 8th November 1878.

R. STEPHAN's examination continued.—I knew prisoners Dillon and Carson, about two months ago they escaped themselves with a view to escaping from the prison. They were out two nights and one day before being found. I received instructions from the Warden that when I found them I was to give them a good kicking. I did so. I gave them six stripes apiece over the shoulders with my walking stick. It was an ordinary walking stick and not very heavy. It was not the small walking stick produced yesterday. The cane I struck Dillon and Carson with had not a ferule on, six inches long. I then put them in the bath, and after washing them found that Dillon had a sore on his head. I don't know whether I had done it or not. I don't think I did. He had been poking around in the dead of night and may have received the injury in that way. I have no recollection of telling Dr. Aikins that I struck Dillon on the forehead. They (Dillon and Carson) were then placed in the dark cell in irons for 36 hours, and were led irons during the balance of their term in prison. I did not knock prisoner Dillon down with my stick. I knew prisoner Cook. About April last, I received a report that he was sick and unable to work. I went out and found him lying in a box covered up with

prisoners clothes. I made him get up. He said he was sick and not able to work, and that he was not scheming. I said him [illegible] to his cell. I have no recollection of having put a hand on him. There was no companion, he was quite a soft boy, and well behaved up to the time of his attempted escape.

I knew prisoner Hagin. He made me boots and shoes upon requisition, and I paid for them. I cannot say how many pair I got made. There were two pairs boots, and one pair shoes. There may have been more. I have had boots and shoes repaired. It was the custom of the prison, and other guards did the same. I remember reporting Gifford for bringing in tea, sent to baths before time. It came to my knowledge afterwards that Guard Uniacke had bailed him soon before Gifford. Why I did not report Uniacke I cannot say. I do not consider Uniacke a friend of mine. I don't remember reporting Guards Gifford and Doherty, and not reporting Uniacke, in December, 1874. I never made any change in my prisons in visiting guards, owing to any supposed or real disfriendly between me. Last January, prisoner Leary was in the guard room, and in the evening he brought a revolver to my room, stating he had found it; his cell. I took it from him, and asked him if he knew whose it was, he said "No", and I put it in my drawer. In the morning, I handed the revolver to Mr. Beaumont, and reported the circumstances. Beaumont told the revolver on the table in my room. He then marched down with me, and was by to the room as I went out. I could not come done than we found the revolver on the table. It lay next to behind the cushion in a chair. There was no one in the room at the time, but a prisoner may have come in afterwards. The Warden investigated the matter and it was found that the revolver belonged to Gifford. I told Gifford the revolver was in a chair behind the cushion in my room. The revolver was loaded. I did on two or three occasions, find Guard Uniacke in revolver lying on the bed in the dormitory. I did not report him but threatened to do so the last time, and have not seen a revolver in the dormitory since. There have been two or three rallies for watches in the prison. Don't remember anything about armoury being opened. I never told Guard Gifford I had let prisoner Barber see a warder (doyce) and that I was ashamed of being. I would not have done so, as the Warden gave his permission. I never heard an order read regarding the calls to be unlocked by guards only and the Warden told me nothing of the kind. My recollection is, that Hicks wrote two or three complaints made against Maxwell, by Gifford and that I reported to the Warden in the yard, verbally. Mr Rennie gave me the labour of a prisoner to upholster a lounge, and the work was charged to the Canada Life Company. I knew prisoner O'Shaughnessy. On the first May, 1876, he was ordered by the Warden to be placed seventy two hours in irons. At the breakfast hour when the men were marched down to breakfast he was not pleased with his breakfast, and threw it across the table, saying if he were the boys he would not take it. he also at that time swore at me before the prisoners and threatened me in the words, I'll do for you G——d——m son of a b——h. I reported this to the Warden who ordered him to be put in irons 72 hours. he was pleased in irons and the instructions to the guards were that he was to be taken down to use the bucket, he should have been taken down to his meals and put in irons again. he should not have been taken down at night I cannot say how it was as to O'Shaughnessy prior to this O'Shaughnessy was one of the worst prisoners we had and after that, one of the best. I never said to Guard Ennes "let the b——r die." he is correct as to the food prisoners in irons are allowed a pound of bread a day and water. no prisoner has been confined five days and nights in irons since the opening of the Prison. When I went into cell to prisoner Hickey (as stated by Guard Uniacke), it was between eight and nine, and it was dark. I released Mr Kay—he was in irons for [illegible] and when I had loosened one hand and he had possession of his left, he said he would not allow any black son of a b——h like me to take him to the dungeon. when he was saying this Guard Uniacke was unfastening the shackles from his legs. I struck Hickey on the side of the ear with the back of my hand and then but once. I don't recollect striking Gibbons. I did not poke my nose against Carson's ribs. I recollect the prisoners referred to by Guard Lyons. they were Gunstock, McKenna and Pomroy. after they were forced they were struck by all the guards present. I struck McKenna. it was for swearing themselves they were struck, they were placed in irons for 24 hours. I do not know whether they worked in shackles or not for the balance of their term. I have no recollection of the six

circumstances referred to by Cook Cunningham as taking place in June 1876. I never blacked an old man down stairs. I never struck prisoner Speakman; Guard Johns statements to my striking Speakman are to the conversations I used to him (Speakman), to induce the Warders was present all the time. I never struck prisoner Marrigan; he was in the north wing, and Guard Johns reported him sick; I asked Marrigan what was the matter, he said a pain in his arm, I took hold of the arm and lifted it up to see where the pain was, and he cried out, as he had often done before. I told him there was nothing the matter with him, and he would have to go to work; and I put him in irons and reported to the Warden who said I was to leave him there until the doctor came. I can't say how long he was left there. I went to him two time after he was making the same complaint, as the taking there might be something the matter with him, I took him out of irons, the doctor visited the prison shortly after and examined Marrigan, and told him there was nothing the matter, and send him to work. I did send him to the yard. I knew prisoner Farrell, some time in April or May this year, I found him in his cell asleep, with his clothes on including boots and hat; this was the morning out time in the morning; he complained of being sick and I took the Doctor to see him; he ordered him to have a bath, and to be sent to work next morning. I sent him to work next morning, in the morning afterwards, he came to me and said he was sick and unable to work, I said I thought there was nothing the matter, and that he could either go to work or the dark cell. He said he did not care a d—n whether he went to the dark cell or not. I then put him in custody. that same morning I reported his offence to the Warden and that I had placed the prisoner in irons In passing through the dining-hall a guard told me (I think Ramsee) he thought Farrell was sick and I told him to take him out of irons, and to leave him in the dark cell until the Doctor came: the Doctor came and afternoon the prisoner was sented him well and sent him out to work he worked in the fire for the Car Company and did not complain of sickness afterwards. I knew Sarry a prisoner I ordered him to be put in the dark cell for threatening me in the yard. I forget the date. Guard Johns came and told me Barry would not be put in irons. But that the Warden came along, and I told him I had ordered Barry to be put in irons for threatening me and that he had refused to be put in irons. He went down to the dark cell with me. I went into the cell, and when Barry refused to be put in irons, I drew my revolver to frighten him (it was not loaded at the time), but he still refused, saying he would not go in irons unless the Warden ordered him. the Warden then gave the order and he allowed me to put him in irons. I never ordered Guard Johnston to lower Barry down for any purpose, or to put the buckets on at other times. I never struck prisoner Wells was put in irons, but I did not order Johns or any other Guard not to lower him down for any purpose. I saw Wells down sitting on the bucket myself. Wells was not in irons more than once. I do not remember saying to Guard Ramsee on my return to the guard-room after the trouble with prisoner Lewis, that the key was lost.

Adjourned.

Investigation resumed at 2.30 p.m., 11th Nov. 1876.

Mr. Sherman recalled.—About the beginning of this year I was passing through the dining hall and found Collins quarrelling with one of the tailors, and threatening the tailor with a pair of scissors. (The prisoner Collins was serving out a two years sentence for stabbing). When I spoke to him he was very insolent, and I brought him before the Warden who ordered him to be put in irons, Guard Ramsee took him to the dark cell and reported to the officer and stated that Collins would not go into irons, and he could not put him in. I went to the dark cell and told Collins he must go into irons he would not, and I then threw him down, and while down he kicked me in the breast, and once in the privates, the last kick I am not over the effects of yet. I put the irons on, and put him up to the ring. I did not jam his head against the cell wall. His punishment was to have been 56 hours in irons, but the Warden visited his cell the next day, and on his promising to behave himself in future, ordered him to be let down and he was taken down and sent to work. I never presented a revolver at Gumbrook. I did order Gordon to the dark cell. he had been discharged from the hospital by Dr Allens a day or two before, and refused to work, and I told him he must either work or go to the dark

cell; he said he would go to the dark cell, and I sent him there. The same day, or the day after, Eames said he would take Gordon as a cleaner, and he was allowed to work under Eames as a cleaner. I have had conversation several times with Dr. Aitken about prisoners' cleaning or pretending sickness when quite well. The Doctor has often examined prisoners who said they were sick, and has sent them down to work, as he found there was nothing the matter with them. The Surgeon visits the Prison at irregular hours, sometimes at 1 a.m., and at all hours from that until 8 p.m. He does not come every day. Sometimes Dr. Wagner comes. Sometimes a day elapses without either of them being here. The rules require the Chief Surgeon to visit the Prison at least once a day, not later than 11 a.m. and oftener if required. It is almost impossible to tell whether a prisoner is shamming sickness or not, if the Doctor is not present.

All these charges brought against me for putting prisoners in irons, are cases where the other guards were unable to put them in.

I was sent to Albany before the opening of the Prison, under instructions from the Inspector and Warden, for the purpose of learning the management and discipline of that place; I saw one or two prisoners punished; they were placed in irons, and a black cap drawn over their heads, so that they could not see; this ring is placed the same as in the Central Prison. I don't know the character of their offences, or the term of their sentence; the treatment of the prisoners in that institution is much more severe than here.

I never reported anything to the prison since I was appointed Deputy Chief Guard in 1874. If the other guards answer put a man in irons they come to me. There was a prisoner of the name of Ormond who, one morning would not come out of his cell to work; three of the guards went to bring him out, but were afraid to go into his cell, as they said for me, and I brought him out and placed him in irons in the dark cell; after he was in irons, Beaumont took off the prisoner's boot and bent him over the head, and cut his head open in two places; that man was never reported to the Warden; it was Beaumont's duty to report; he was kept fifty-six hours in irons. I told the Warden I sent it one or two days afterwards. A prisoner named Gordon went into the cell, and when I went to the cell I found Beaumont beating him with a stick. I refused to bring the prisoner out. I once found a knife on O'Shaughnessy when I was putting him in the dark cell. It may have been the time referred to in the evidence given by the guards.

RICHARD H. STEDMAN

CHARLES BRANDON sworn.—Am head foreman in the Mechanical Department of the Canada Car Company; I work in the Central Prison; I never saw any cruelty to prisoners; they are not punished to my presence; when prisoners have been in irons, I have noticed that their arms were swollen and their arms would be stiff. There has been no ill-treatment of prisoners inside of the shops so far as I know. I never was employed in any industrial prison before. About March, 1875, prisoner Perkins reported to Guard Kirkpatrick that he was sick and unable to work. the guard told me he reported him; the prisoner was brought back, and left standing near the door. I thought Perkins unfit for work.

A. BRANDON

Adjourned

Resumed 3 p.m. 13th November

GUARD NEWTON recalled.—The bone and ivory work referred to by me in my former evidence consisted of ear-drops, crosses and other ornaments for which chains. I don't know whether Jones made bone work for other guards or not. I have seen bone ornaments on other guards and have such chains but don't know how they got them. I never had any bone-work made by prisoners. This was prior to May, 1876. the Warden about that date, issued an order forbidding guards having any work of the kind done by prisoners.

Mr Stedman told me the bone-work in my case. I think prisoner Lewis was confined to his cell, because he was considered insane. I understand so at the time. the next morning after Lewis was beaten I heard it talked about by the guards, I never heard any of them say

that Lewis had offered to strike Stedman before Stedman struck him with the key, or that he resisted in any way nor did I hear that any of the guards were afraid to go into Lewis' cell I have seen prisoners resist when being put into the dark cell. It is a common thing to find knives had also on prisoners. I think they put those things for carrying on some work in the cells.

E. NEWTON

GUARD EARNES recalled.—After Lewis was struck by Stedman it was talked about by the other guards I did not hear any of them say that Lewis had offered to strike Stedman before Stedman struck him nor that any of the guards were afraid to go into Lewis' cell. Before Lewis was struck he was considered insane, he was allowed to go around the prison yard and not unable to work.

I have put men in the dark cell and on searching them have sometimes found knives and files. I never knew or heard that any prisoner had drawn a knife or file on a guard

H. EARNES.

GUARD JONES, recalled.—I assisted Guard Ramus in putting Farrell in room about April of this year I cannot state the time I put prisoner Wells in irons I put the prisoners who are in the north wing in irons when noticed on other guard does this duty unless acting Chief Guard Stedman who sometimes puts prisoners in irons himself I recollect guards in the guard-room talking about Stedman striking Lewis with a key I did not hear any of the Guards say that Lewis offered to strike Stedman before Stedman struck him I did not hear that the other guards were afraid to go into Lewis cell I sometimes find knives and files on prisoners when searching them In the dark cell they never offered to strike me with a knife or file I never heard of a prisoner drawing a knife or file on a guard.

W JONES

GUARD MASSELL, recalled.—The night Stedman struck prisoner Lewis, I was not afraid to go into his cell Lewis did not draw me and other guards to come in I opened the cell door I could see all that took place in the cell I think we had a lantern with us Lewis had nothing in his hand he was looking at the top of his cell and was not looking at me, He was shouting at the top of his voice and seemed to be frightened at something, that had occurred previously to our going in Lewis did not take hold of Stedman Stedman threw him on the bed and Lewis commenced shouting when Stedman struck him with the key I can't say how many times, but more than once Stedman took hold of the key about the third of the way up. Mr Stedman did not say to me that Lewis had offered to strike him, There was a stone which would weigh about three or four pounds in the cell it had been broken off the stone corners of the cell Lewis did not have that stone in his hand when we went to the cell the bedstead in the cell was made of iron I did not notice that it was broken the leg of the bedstead, or a piece of the frame work might be broken off by a strong man had the leg been broken we must have noticed it when Lewis was thrown on the bed I was the corridor guard on duty that night. one of the reasons why I thought him insane was, that when he was asked a question he would answer as though quite a different question had been put to him; he appeared to be grieved and absent minded he never spoke to us other prisoner to my knowledge I am satisfied like a man who might commit suicide the beating took place in my own ward previous to his removal to the London Asylum. I went round several times in the night, and the last time I went round he was still hand bound his hands to the best of my recollection were behind him, the blow was as hard as Stedman could give it the position he was placed in I think Stedman struck him before he threw him on the bed but am not certain. I have seen prisoners make resistance and heard of it very frequently I have often found knives and files on prisoners have never known a prisoner draw a weapon on a guard Mr Stedman told the guard that a prisoner had taken up a hammer to strike him. I have heard of guards sending for Stedman when prisoners were answering ugly O'Shaughnessy was evidently a very bad man and would not hesitate to say anything, and I believe would do bodily injury I have never heard any expression by any guard which would indicate they desired to get rid of Stedman Prisoner Mackie was a nasty tempered, and a dangerous man, I have

man like domineering over an old man, and when the old man would not do what Mackie wanted, he got into a passion and said he would strike him if he had been outside.

WM J. MANSELL.

Guard UNLACKE recalled.—Lewis acted very foolishly. When he was asked a question, he would not answer, I think this was before he was struck with the key; I heard he had used up a bundle in the shape of a mat, in his cell. I remember the guards talking about Lewis being struck. I heard Delaney and others talking about it; did not hear them say that Lewis offered to strike Stedman before Stedman struck him. I did not hear anything about the guards being afraid to go into Lewis' cell. I think I heard Guard Gifford say that he and Lewis had some difficulty one morning. I remember the time Mr. Gifford refers to, except the nothing. I met Mr. Stedman at the door, and he asked what I brought up my mess for? I said, "It is low o'clock." He said, "No. Cannot say whether I met Clifford's gang or not. I remember prisoner Hawkins about four weeks ago I heard some one calling in the dark cell. I went to acting Deputy Chief Gaoler Newton, and told him Hawkins (the prisoner) was in a fainting condition. Hawkins' face was pale. I did not hear Hickie say to Stedman in the cell, he would not allow any black son of a b—h like him to take him to the Gaolgroom. he might have said so, but I did not hear him. I did not hear Stedman strike him in the cell. It was outside where I saw Stedman strike him. He was very angry in the cell. outside the cell I saw Steel and Jenkins strike him after he was overdriven. When we took Hickie out of his cell, I walked by his side and Stedman said "I think you are not going to carry on any of your capers here," and struck him. I do not think Hickie said anything after he left the cell until he was struck. His struck him with the back of his hand. I think his fist was clenched; I think I am certain. I was close to Hickie, and by the pressure of Hickie against me when struck I think Stedman's fist must have been clenched. Hickie was a bad man.—he had a very bad character before coming here. he had a dangerous look and was considered dangerous, and had threatened Guard Somers. I have found knives on prisoners. I never knew or heard of prisoners offering to strike guards with knives, or files, or other weapons.

M UNLACKE.

Adjourned.

Resumed 7.30 p.m. 13th November

Guard GIFFORD recalled.—When Lewis was in his cell he was always reading his Bible, and would ask me the meaning of certain verses from the peculiar character of the questions and his manner of asking them, I thought he must be insane. When I was on night duty I would hear him shouting in Welsh. After Stedman struck Lewis it was a matter of general conversation. I never heard any of the guards say that Lewis had offered to strike Stedman before Stedman struck him, I did not hear that the guards who were with Stedman were afraid to go into Lewis cell before Stedman came up. I did not believe any bone work made for me by any of the prisoners. I have found knives and files on prisoners. I am of opinion they got the knives for the purpose of cutting tobacco, and the files to make bone work. The knives were made out of pieces of steel or iron and stuck into a wooden handle. I never heard of a prisoner offering to strike a guard, either with a file, knife, or any other weapon. I never had any trouble with Lewis. I never told Unlacke I had Hickey was a quick-tempered man. O'Shaughnessy was a quick-tempered man.

WM. GIFFORD.

Guard HILL recalled.—I witnessed a raffle in the guards' sleeping apartment in April, 1878. The armoury was in the diningroom. I was in the guards sleeping apartment when they were raffling. Guard Gifford came to me and drew my attention to the fact of the armoury door being open there were three or four prisoners (guard-room waiters) in the diningroom, having their breakfasts. Mr Stedman was in the sleeping apartment taking part in the raffle. The corridor guards keep the key of the armoury. I did not tell Mr Stedman or any other guard that the armoury was open, and did not

shut the door. The reason I thought Lewis meant was hearing the guards say so. I do not think a man man would shoot in the way he did. I do not remember anything being said about it afterwards by the guards. I did not hear that Lewis feared to strike Mr Stedman before Stedman struck him. I have found knives and files on prisoners. I never heard of a prisoner offering to strike a guard with a knife or file. I heard prisoner Farrell say that he would knock some person on the head with his hammer if he thought he had any extra time to put in after his sentence expired.

PRISONER MILL.

D. CUNNINGHAM, recalled.—At the time I saw Stedman strike prisoner Hickey I was about six feet from him. Unlocks was forcing Hickey along. Hickey was very violent. he used some very abusive language. he called Stedman some very offensive names before Stedman struck him.

D. CUNNINGHAM.

DR. AIKINS recalled.—In visiting the Prison I have been brought into constant communication with Mr Stedman and have had the very best opportunity of forming an estimate of his ability as Chief and Deputy-Chief Guard. also, of forming an opinion as to his disposition and I have no hesitation in saying that in my opinion, Mr Stedman is not a cruel man. prisoner Perkins may have complained of being sick and sent out to work, but on no occasion has a prisoner been sent to work after being examined by me and found unable to work, until I discharged him as convalescent.

W. J. AIKINS.

WM. STRATTON FRENCH, sworn.—Am Warden of the Central Prison. was appointed prior to the opening of the Prison. previously to my appointment I held the office of Chief of Police of Toronto for about 16 years. after being sworn in and prior to taking charge of the Central Prison I visited the following Prisons in the United States for the purpose of examining the system of working and particularly as to prisoners' diet, in Massachusetts and the general discipline. Albany Penitentiary Massachusetts State Prison at Boston. House of Correction at Chicago. the Illinois State Prison at Joliette. House of Correction at Boston. Michigan State Prison at Jackson, and the House of Correction at Detroit. These are all industrial prisons. The Albany State Prison the House of Correction at Detroit, the House of Correction at Chicago, and Munro County Prison, assimilate more nearly to the Central Prison as to term of sentence while in some cases the term of sentence is for life, they are receiving prisoners for as short a time as twenty days. The Albany Penitentiary ranks first among American Industrial Prisons as to strictness of discipline, also as a financial success. With the approval of the Inspector I adopted the system of the Albany and Joliette Prisons as my guide for discipline and management. During my visits to these prisons, I found the self-torture exceedingly rebient as to punishments. I did not see any punishment record book. This system of punishment in Illinois, being the pumping of cold water on the spine. I did not approve of. I understood from the Deputy Warden that in Albany Joliette and Massachusetts, the punishment in irons in dark cell, ranged from 12 hours to 15 days according to the offence and was regulated according to the conduct of prisoners when in irons. I saw a prisoner undergoing punishment in irons,—he had been in irons for a week. He was said to be a very dangerous character and would strike any of the guards he could get at. Punishment in irons in a dark cell was inflicted for insubordination fighting, disobeying rules after repeated warnings, assaults on officers, refusing to work, and repeated breaches of prison discipline. On my recommendation Mr Beaumont and Mr Stedman were sent to visit those Institutions.—Mr Stedman to Albany and Mr Beaumont to Joliette, on their return they made a full report as to discipline, diet, and everything connected with those persons. The Central Prison opened on 1st January 1874, Mr Beaumont being the Chief Guard and Mr Stedman the Deputy Chief Guard, I may state here that the dungeons in Albany and Joliette Prisons were situated away from the corridors. In the Central Prison we had no dark cell or place of punishment. I was compelled to select 4 cells, two in each corridor and convert them into dark cells, by putting a wooden door in front of the grated door. I adopted, as far as possible, the system

carried out in Albany as to punishment, being guided by the information I obtained on my visit to the Prisons, and that furnished by Mr. Beardsley and Mr. Stedman. And as no case has a prisoner been confined in a dark cell, and in irons, continuously for more than 72 hours, and in only one instance for that time, and he was taken down to meals, and to use the sucker; this was for insolence to the Guard and Foreman. After a prisoner has been for many hours in irons, I always ask him if he is sorry, and if he expresses penitence, I have him taken down. I do not remember the particulars of the insolence in this case referred to, when the punishment was 72 hours. In awarding punishment, I am guided by the previous conduct of the prisoner, the nature of the offence, and the age, health, and constitution of the man. As a general rule, I have found the system of punishment effective in accomplishing the object desired. Mr Stedman's evidence as to cutting hair of prisoners' heads is correct. About eighteen months ago I issued an order that the hair of prisoners was not to be cut for one month previously to their discharge, and that order has been obeyed. I remember Stedman reporting that prisoner Lewis was shouting and disorderly, and disturbing the whole wing, and that other prisoners were following his example, and that he was leaving his bed to press. I ordered him to be handcuffed with his hands behind his back, and to gag him. It is so long ago, I cannot state positively as to Lewis being in irons at that time, if he was a breaker, he was very violent one. An officer asked reports to me that Stedman struck Lewis with a key the first I heard of it was during this investigation. I ordered the Chief Guard to take Finlayson out and give him a good rope-ending. He (Finlayson) had conceded himself for two days and nights, and kept the guards up that Emanuel struck him with a sack was not known to me, and I would not have allowed treatment of that kind had I known it. I gave verbal orders to the Chief and Deputy Chief Guards that prisoners' beds are reported to them by the other guards for fighting were to be placed in the dark cell, and if in putting them into the cell the prisoners were violent, they were to put them in irons and report to me. Also, if prisoners refused to work and on being removed from their ganges became violent or insubordinate on being taken to the yard they were to be placed in irons and reported to me. If prisoners were found talking, smoking, &c., or other minor offences they were not to be removed from their gang, but reported for my disposal in the evening, after they came off labour when they would be given to the dark cell, or deprived of their light, and of supper according to the nature and frequency of the offence. If the prisoner reported himself sick, it was the duty of the Deputy-Chief Guard to keep him in his cell and then report to me, but not to put him in irons. Prisoner McCarthy was not able to do any hard work, and having nothing else for him to do I allowed him to paint two pictures for my room, and some for the guards. I consider the pictures in my room the property of the Government, as part of the furniture. I did say to Stedman to lick Dillon and Gerow when they were fooling. I did not suppose he would strike him over the head with his cane as alleged by some of the guards. I never heard of a mile taking place in the prison until this investigation. If I had heard of it, I am certain it would not have occurred again. I do not think I ordered O'Shaughnessy 72 hours in irons; my impression is I ordered him in irons until further orders, and that he was obstinate and was kept in irons for 72 hours. I do not recollect being present when he was put in irons. I visited him every day and found him stubborn and unyielding. His offence was insolence to the Guard and Foreman and refusal to work. He was a stubborn, dogged, troublesome man, and a light punishment, or a short term in irons, would not have had any effect. Prisoners in irons were in all cases to be taken down to meals, and to the bucket at 8 30 p.m. and at 6 o'clock in the morning. During the night they could not be taken down without turning the crank, which bars all the doors; nor without disturbing all the prisoners in the wing, and waking up the guards in the dormatory to get the key. Guards were not allowed to strike prisoners, except a drubbing when a slight tap to call the attention of the prisoner to his feet or arms or being kept in the right place, was allowed. Even this has been discontinued, as I found one of the guards had struck a prisoner over the back with his cane. One afternoon the Deputy-Chief Guard reported that prisoner Bary would not go into irons as I had ordered. I went to the dark cell and saw the man; He defied the guards. I told Stedman to put him in irons. Bary defied him and when Stedman went to put the irons on Bary said—"If the Warden says so, I will be put in irons." And he did not offer any further resistance. I

saw Stedman draw his revolver and I heard him say to Keay he would take no nonsense and that he had better be quiet Stedman afterwards showed me his revolver and it was not loaded

W. S. Parker.

Adjourned.

Resumed at 11 a.m. 14th November 1878

Stephen Lett sworn.—I am Assistant Physician in the London Lunatic Asylum was appointed in September 1870 I remember that on the 18th February 1878, three lunatics were brought from the Central Prison to the London Asylum, by the Prison Staff their names were John Elmes, Edwin Lewis and William Guard when a lunatic is received from a prison or gaol by warrant, he is handed over to one of the chief attendants with instructions to examine the patients at once, and see whether he or them has bruises, or eruptions, &c. and if the lunatic is not clean, or has bruises on him or eruptions, the attendant reports at once to one of the doctors, the attendant would make a report in any case in this particular case I noticed there was something wrong about the condition of Elmes arm, and sent for Dr Alexander to examine him he reported the arm as being extensively bruised and that Elmes could not raise it without the assistance of the other hand William Guard was, I think, reported all correct Edwin Lewis was reported as having a bruise on his head I may have said to the prison Staff that one of the lunatics had been badly treated if I did say so I mean have meant Elmes the bruise on Lewis' head could not have been very serious or I would have heard of it when lunatics shout or make a great noise we remove them to the refractory ward and sometimes give them a sedative or a stimulant we never gag them or tie their hands behind their back lunatics are frequently tied by the hands to prevent them destroying property I have never seen lunatics with their hands tied behind their backs when Lewis first came in he was put in the refractory ward, owing to representations that he was an epileptic, and had hallucinations which might lead to homicidal acts we found Lewis quite enough he may possibly have shouted but I cannot remember his doing so he has not had a fit of epilepsy since he came to the Asylum cases of tying the hands of lunatics are very rare indeed in the London Asylum, and when I say tying the hands, I mean that the leather muffs are put on.

Stephen Lett
M.R.C.P.

Dr Atkins' certificate as to the insanity of prisoner Lewis, is dated 9th January 1878.

The Doctor in his certificate states he is unwilling to communicate in our vernacular looks insane, imagines persons are laying snares to get him into difficulties. Is naturally depressed, sees visions, has communications from heaven, &c., &c. He has not attempted or threatened to harm himself or others It is alleged by the Central Prison Hospital Guard that he had an epileptic fit in church on the 3rd instant.

John Boyd's (County Judge) certificate is dated 9th January 1878

Dr. Richardson's certificate is dated 8th January 1878.

S. C. Wood.

Adjourned.

Resumed at 2.15 p.m. 14th November

Captain Prison, recalled.—I recollect ordering Collins to be put in irons, I also remember visiting him call the next day and on his expressing contrition for his offence, I had him released from irons I know that Stedman has been applied to, over and over again, to come and put prisoners in irons, and I have gone to the dark cell when Stedman has been putting prisoners in irons and have seen guards standing outside the cell and they appeared as though they were afraid to put the prisoners in irons themselves. I have never shown any partiality to guards I have found prison guards to be like any other men, some complaining of petty matters, others satisfied when fairly treated. When one has 18

or 20 guards to deal with, and all are required to submit to the rules of the Prison as to be expected that instances will occur when a prisoner or suspicious guard will think he is treated more severely than others, and that partiality is shown, but I am not aware of giving any cause. I put in statement marked "W" and wish it to form part of my evidence

W S. PRINCE.

(Statement marked "W")

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO
TORONTO.

Mr Stedman has been the support and mainstay of the discipline of the prison. He has devoted himself with energy and earnestness to enforcing my orders, and the rules and regulations and without his watchfulness and truthfulness in reporting breaches of duty on the part of the officers of the prison, I could not have attained the discipline, order and method which exists in the working of the prison at the present time. His thorough seriousness in the discharge of duty his truthfulness (for I have never found him in a falsehood) his strict temperance, and his unflinching resolve to observe and make others observe the discipline of the prison have been of the greatest service to the Government and to myself as Warden. Indeed he in the only officer who has appeared to take the same pride in the prison as I take myself, and to assist me by unusual capacities and strict sense of duty to make the prison what it is. The improvement of the front grounds is due to him, the laying out of which must have saved the Government much expense, and that has been done by him in addition to his other onerous duties. The church services, Catholic and Protestant, were improved by him in the selection and organization of the excellent choir He has succeeded so re-capturing single-handed four prisoners, who had escaped from the prison and I can confidently state that had it not been for his watchfulness as regarding circumstance to me, other prisoners must have escaped That he has been acting Chief Guard more than eight months during which period, the prison duties have been conducted with efficiency in every respect, and apparently with complete harmony that is my daily contact with the prisoners, I have no recollection of one of them having preferred any complaint against Mr Stedman and in addition to my visiting the gangs, both morning and afternoon I have been in the habit of visiting the cells on Sunday afternoon, when each prisoner had an opportunity of making complaints had he desired to do so, and I wish further to state, that not a single guard has ever complained to me of any ill treatment of prisoners by Mr Stedman.

W S. PRINCE.

ALFRED JELLOW was Hospital Guard in JANUARY 1878 and now in England states, I was standing by at the time Guard Johns refers to, when Stedman was putting Sparkman in irons, and did not see Stedman strike Sparkman, neither did I hear the words Guard Johns says Stedman said.

W S. PRINCE.

Dr WM G. WAGNER, sworn.—I have acted at different times since the opening of the prison for Dr Aikins, as medical attendant I have attended prisoners in the hospital in their cells, and in the dark cell. I never heard any prisoner complain of his treatment Have never seen any act of cruelty on the part of the guards towards the prisoners. When Mr Stedman was Deputy Chief Guard I was brought in contact a good deal with him during my visits to the prison I consider him a strict disciplinarian, but I do not consider him a cruel man I have never treated any prisoners for wounds received as punishment, except in one case I forget the name of the prisoner he had been fighting with another prisoner and one of the guards struck him across the back, I don't remember looking at the wound I prescribed oil.

W J WAGNER.

Mr STEDMAN recalled.—I have served as an executive officer in the Central Prison from its opening with faithfulness, and discharged my duties to the best of my ability

For the last eight months I have been acting as Chief Guard. I deny the charges of wrongly preferred against me, and I assert that they are false and malicious, and that they were never have been instituted had I been indifferent to the welfare of the prison, and had been guilty of neglect of duty in concealing from the Warden daily signs of duty on the part of the guards, instead of reporting them to him. I have ever upheld the discipline of the prison, enforcing the rules and regulations and the Warden's orders, with strictness and impartiality. I would respectfully ask the Commissioner to compare my record of conduct with that of other officials. I beg to state that on the 3rd of July, 1874, Guard O'Brien was seen when out on duty, drunk at a tavern at a gelock in the afternoon; and stopping a traveller on the public highway, pointed a loaded revolver at him, threatening to shoot him if he did not stop, and repeatedly fired off his revolver—loaded with all cartridge—along the public streets. Capt. Prince dismissed him from the Central Prison, but he was shortly after reinstated by the Honourable Mr Fraser, Commissioner of Public Works. He shortly afterwards got drunk and caused disorder and disturbance throughout the north corridor at 12, midnight. On the 14th November, 1874, one of the officers named Michael English, was absent, without leave, from his duties from 8 a.m. till 2 p.m., when he returned to the prison under the influence of liquor, commenced kicking the prison doors, cutting out, and creating disturbance and excitement among the prisoners. He had already been reported three times before. No notice was taken in the matter although his conduct and character were represented by the Warden as unfit for a prison official.

RICHARD H. STEDMAN

J. B. CAMPBELL, recalled by Mr STEDMAN.—When I came to the prison I was a stranger. I knew none of the Guards. I was told by Gifford on one occasion to look out for Mr Stedman—that he was a dangerous man and would ask me to do could do it I gave him the slightest chance. From conversations I had with other guards I was led to believe they entertained an ill-feeling towards Mr Stedman. I thoroughly believe the ill-feeling, on the part of some of the guards, towards Mr Stedman is the cause of their giving evidence against him. I do not know of any conspiracy against Mr Stedman, but I believe there is. From what I have seen and heard Lennon Gifford and Hill have spoken bitterly of Stedman. I have never heard Uniacke Newton, Mansell Jones Dean Kingsmill or Butler speak against Stedman.

JOHN B. CAMPBELL

W J MANSELL, recalled.—I was on duty on night-guard the time Lewis was beaten by Mr Stedman. Properly speaking, I was the night patrol guard. There was no corridor guard on duty at night. I reported the cleaning of Lewis to Mr. Stedman. I did not say to Mr Stedman that Lewis was breaking up all the furniture in his cell. I did not know until this day that Lewis broke up his fix tures. I never saw any broken furniture in his cell. I saw the stove referred to in my evidence, but nothing else in his cell that was broken.

W J MANSELL

Guard FETHER, recalled by Mr. STEDMAN.—I have been a guard since 8th March 1876. About two months ago Guard Eames spoke to me about Butler's case and from what he said, I think he was trying to influence my mind as to Mr Stedman. Have heard Guards Eames Gifford Uniacke and myself speak unfavourably of Stedman. I cannot recollect the exact language. From what I have heard I have believed these guards were instigating with Beaumont against Stedman. I do not speak of my own knowledge, but of what I have heard. Their language is not confirmed by. I never saw Beaumont speaking to these guards. I did see him one evening talking to Cunningham. The subject of the conversation was a letter in the *Irish Canadian* Newspaper. Beaumont said he wrote it. Cunningham said it was not bad. I cannot give the particulars as to what the guards said which led me to believe they were instigating. I did not hear any of the guards say they hoped Stedman would be dismissed. Some said they thought he would. I never heard Hill say to Gifford and Uniacke, "We would be very comfortable here, if Stedman was away." This was during the investigation The other day after giving my evidence, Guard Eames

asked me, had I been giving my evidence, and asked me what I had said in reference to Dillon. I answered Nothing, as I did not consider he had been ill-treated. He said he would have me brought before the Commissioner again, to expose me. that I might to give evidence as to Dillon. The next evening I saw an article in the *Telegram* newspaper, signed Examiner and believe Guard Gifford wrote it, or furnished the information to others to write it

WALTER BUTLER.

Adjourned.

Resumed at 11 a.m., 10th November

HENRY SOPPLE, sworn.—As Mission Agent of the Prisoners' Aid Association and in that capacity I have visited the Central Prison since its opening. I visit the prison every Sunday afternoon I generally remain four hours. I also attend the Sabbath School every other Sunday along with a staff of forty teachers. We hold religious services every other Sunday when clergymen of the various denominations officiate. The Catholic clergy have service every Sunday early in the morning. I visit the prisoners in their cells and converse with them on religious subjects, and give them tracts. Some few of them give me their confessions and tell me their troubles. I remember Prisoner Spackman showing me his back. There were red-colored marks across his back but I did not notice that the skin was broken. He told me he had tried to escape. He was apparently a very sickly man I could not make any impression on him. He can't give dates. I recollect several prisoners, on leaving the prison, telling they had been kicked and beaten by Mr Stedman the Deputy Chief Guard. I have heard complaints of the food while within the past eight months, but not within the last two months. Dillon complained to me on leaving that he had been beaten about by Stedman; with a stick, but I did not attach much importance to it, as I considered him a bad man. I never heard him swear or pray,—he seemed to be hardened. Finlayson complained of being ill-used by the Chief Guard Leach did not complain of being ill-used I don't remember Lewis, O'Shaughnessey, Collins, Hickey Mary Carson, Jones, Gibbons, Edwards, Hunt, Gordon Fairchild Farrell Burrigan of Perkins. They did not complain to me. I remember Gumstock, but he never complained to me. I have heard several prisoners say that vary bad language is used by the prisoners, and that they are not punished for it. I never heard any bad language used in the prison myself. I have not communicated to the Inspector or any of the officers of the prison the complaints of the prisoners. Had I heard of any grievously bad case, I should have considered it my duty to report it to the Inspector Neither the Warden nor the Mayor of Toronto visited Sunday School. I don't recollect inviting them.

HENRY SOPPLE

Adjourned.

CENTRAL PRISON, Nov 17th, 1876.

J W Langmuir, Esq.
Inspector of Prisons, Toronto.

SIR,—Ever since I entered the service of the Central Prison, I have had but one object in view,—in the discharge of the duties assigned to me, to the best of my ability without fear or favour. This I can honestly say I have done but in so doing I know I have risked up for myself enemies in every quarter, so many that I am afraid my usefulness as an officer of the prison is gone. that I may have committed errors of judgment, and perhaps in a few instances, in my zeal and honest desire to make the Central Prison, what I now consider it is, the Model Prison of the continent, I may have erred sometimes in enforcing too rigid discipline but only one having knowledge of the prisoners he has to contend with, and the necessity for promptly putting down every act of insubordination, no matter how trifling, can

judge what is best to be done. My conscience tells me that I have done nothing wrong in this way but everything for the best interest of the prison. I do not wish to say one word against those who have conspired against me, as I feel that them will fully clear my character. Feel up, however, as I do, that by remaining in my position my enemies in trying to ruin me will also try to injure the prison, and that by removing I would only embarrass the Government, I herewith tender my resignation of my position as acting Chief Guard and would request to be immediately relieved

I have the honour to be, Sir,
Your obedient servant,
RICHARD H. STEPHENS.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &c. ONTARIO,
TORONTO, 21st November 1876.

SIR,—I regret having to report, that the insubordination of a large number of the prisoners confined in the Central Prison became so general yesterday as to amount to a preconcerted mutiny which, unless it had been promptly dealt with might have resulted most disastrously to the discipline and government of the prison. For some time back it would appear that certain evidences of combined insubordination have been apparent, but which became very marked at the prisoners' dinner call yesterday in the provocation of a good deal of noise and turbulence. The alleged cause on that occasion was the insufficiency of the rations whilst I may remark in the most liberal of any prison in Canada and fully as liberal as any prison in America; and if compared with the rations allowed to British soldiers will be found to be better in all respects. The average weight of solid food, besides tea and coffee allowed to each prisoner per day is equal to 65 ounces.

The prison the prisoners dinner was finished they were marched out in gangs to their work and 66 refused to proceed with their respective employments. The matter was reported to me, and I immediately proceeded to the prison arriving at 3.30 p.m. I at once ordered all the prisoners to be formed into line in three gangs, the guards being present with loaded rifles and pistols.

I informed the prisoners that the rules of the prison would be rigidly enforced, both in respect to labour and discipline that insubordination in any and every shape would be instantly put down with a firm hand. I pointed out the liberal nature of the dietary allowing that no reasonable ground for complaint existed. I asked all the prisoners who were instantly prepared to go to work to remain in line, and those that were not, to step to the front. Four stepped to the front, and although further explanation was made to those four men they persisted in their mal-formation, when I ordered them fifteen lashes should be given to each on their bare backs in presence of all the prisoners. On enquiry I found that one of the four prisoners was mentally weak, and therefore not entirely responsible for his acts and who was therefore not punished. The other three were hardened characters, the prisoners were again formed in line, around the prison square when the punishment ordered was proceeded with. I trust and believe that the object of the punishment has been fully accomplished, and that insubordination of the combined nature will be stopped.

I have also ordered that the use of the associated dining room shall be abolished and that the dinners as in the case with the breakfasts and suppers will be served to each prisoner in his cell. This I trust, will reduce the means of communication with each other and prevent combined action, which undoubtedly had been arranged yesterday.

I have the honour to be
Sir,
Your obedient servant,
J. W. LANGMUIR
Inspector

The Honourable,
The Provincial Secretary

SCHEDULE OF LETTERS AND REPORTS RELATING TO THE INTERNAL MANAGEMENT OF THE CENTRAL PRISON TORONTO

1875

March 30.—Letter from the Provincial Treasurer to the Inspector of Asylums, Prisons, &c. enclosing a Memo. on the latter's Report on an inquiry held in the Central Prison.

Feby 17.—Report of the Inspector of Asylums, Prisons &c. of his investigation, in finding minutes of evidence taken 10th February 1875.

" 18.—Report of the Inspector on the escape of two prisoners, in the interest of the investigation.

June 11 — Report of the Inspector of Asylums, Prisons &c., on the escape of a prisoner from the Central Prison on the 14th May 1875.

" 17.—Letter from Assistant Secretary Eckart to the Inspector of Asylums, Prisons,&c.

" 30.—Report of the Inspector of Asylums, Prisons,&c. on the escape of two prisoners on the 31st May 1875.

July 7.—Letter from Assistant-Secretary Eckart to the Inspector of Asylums, Prisons,&c.

1876

Nov 16.—Report of the Provincial Secretary to the Executive Council, submitting the evidence taken at the investigation into the internal management of the Central Prison.

Aug. 17 —Letter from the Inspector of Asylums, Prisons, &c. to the Provincial Secretary Index to the Investigation.

Oct. 31 —Minutes of evidence relating to the general management of the Central Prison.

Nov 17.—Letter of resignation of Acting Chief Guard Richard H. Stedman.

" 21.—Report of the Inspector of Prisons, Asylums &c., on the suppression of a mutiny in the Central Prison.

Dec. 30.—Memo by the Provincial Secretary on his investigation of charges made by the Warden of the Central Prison against Chief Guard Beaumont.

1876

Sept 19.—Letter from the Warden to the Inspector of Asylums, Prisons &c. enclosing a letter dated 6th September from Guard Wall complaining of the conduct of Chief Guard Beaumont.

Sept. 20 —Minutes of investigation of certain charges by Patrick Wall against Chief Guard Beaumont.

" 22.—Letter from Chief Guard Beaumont to the Inspector of Asylums, Prisons, &c.

Feby 26.—Letter from the Warden to the Inspector of Asylums, Prisons, &c.

March 1.—Letter from the Inspector to the Provincial Secretary

" 3.—Letter from the Inspector to the Warden of the Central Prison.

" 9.—Letter from Chief Guard Beaumont to the Provincial Secretary

" 17.—Letter from the Inspector to Chief Guard Beaumont.

" 22.—Letter from Chief Guard Beaumont to the Provincial Secretary, enclosing copy of a letter from him to the Inspector

" 25.—Letter from the Inspector to ex-Chief Guard Beaumont.

" 28.—Letter from the Inspector to the Warden of the Central Prison.

" 29.—Letter from the Provincial Secretary to ex-Chief Guard Beaumont.

" 31.—Letter from the Warden to the Inspector of Prisons, &c.

April 18.—Sales and Recruiting Central Prison.

" 20.—Letter from the Inspector to the Provincial Secretary enclosing letter dated 31st April from the Warden to him.

May 8.—Letter from ex Chief Guard Beaumont to the Provincial Secretary

" 10.—Letter from Assistant-Secretary Eckart to ex-Chief Guard Beaumont.

" 15.—Letter from ex Chief Guard Beaumont to the Provincial Secretary

" 16.—Letter from Assistant-Secretary Eckart to ex-Chief Guard Beaumont.

June 7.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary

1875.

July 8.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary
Oct. 8.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary
Index to the investigation into the charges against James Beaumont, late Chief Guard.
Minutes of evidence taken during said investigation

1876.

Letters referred to in foregoing evidence.

Nov 8.—Letter from A. McMenemy Hamilton to the Warden of the Central Prison
" 7.—Declaration of John Flaherty, late Chief of Police, Hamilton.
" 8.—Declaration of J. B. Rousseau of Hamilton
April 19.—Letter from the Inspector to the Warden of the Central Prison.

TREASURY DEPARTMENT TORONTO, 30th March 1876

SIR,—I beg to enclose Memo. containing my observations upon your report of the 17th February last, relating to the inquiry held by you under my instructions of 4th idem, relating to certain alleged antagonisms between certain officials in the Central Prison. A copy of my Memo will be communicated by you to the Warden, and by him read to the guards and other officials of the prison

I am,
Your obedient servant,
ADAM CROOKS,
Treasurer

J. W. Langmuir, Esquire,
Inspector of Asylums, &c. Toronto.

MEMORANDUM on the report of Mr Inspector Langmuir dated 17th February last, relating to the Central Prison.

The undersigned has considered the report and the evidence taken under the inquiry directed by the instructions of the undersigned dated the 4th February last, and

Firstly—He approves of the discipline of the prison being strictly maintained and that the steward and cook must comply with such regulations as may be in force with respect to them, as well as the other officers and guards in the prison.

Secondly—That it is desirable that the suggestion of the Inspector for separate duties of store-keeper and steward be adopted in future, and that in by laws such distinction be adopted.

Thirdly—Deputy Chief Guard Stedman is liable to censure for the expressions which were undoubtedly used by him in regard to Roman Catholic officials and any indications in the future of such feelings being harboured by him will involve his dismissal.

Fourthly.—It is to be regretted that the evidence shows that liquors have been introduced on several occasions into the prison and that the officers whose duty it was to have reported the circumstances to the Warden omitted to do so. It is equally to be regretted that Chief Guard Beaumont and other guards were seen in the habit of frequenting public houses or taverns in the neighbourhood of the prison. The regulations with respect to the use of intoxicating liquors must be strictly enforced and the Warden Officers and Guards will be each held responsible for the observance of it, inasmuch as the discipline of the prison depends entirely upon the strict observance of sobriety on the part of all the officials

Fifthly—The evidence shows beyond reasonable doubt that Guard Bol and violated on two occasions, at least, this essential rule the Inspector would have been justified in his immediate dismissal after the inquiry. I must direct that the should he does forthwith, and with the usual fines.

Lastly—Any wilful disobedience of the rules or neglect of duty will be visited in the like manner when any such case is made to appear

ADAM CROOKS,
Treasurer

TREASURY DEPARTMENT
Toronto, 30th March, 1876

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS &c. ONTARIO
Toronto, February 17th, 1875.

SIR,—I have the honour to report for the information of His Honour the Lieutenant-Governor that in obedience with instructions contained in your letter of the 4th instant, I held an investigation into the causes of antagonism that exists between certain officials of the Central Prison of Ontario, and the effect of such antagonism upon the discipline and management of the prison, and I herewith transmit the evidence taken under oath in connection therewith.

It appears that the want of harmony is confined to five officials of the prison, viz: Daniel McCarthy Steward and Store-keeper and Michael English Cook and Baker, on the one hand and the Warden, Chief Guard James Beaumont, and the Deputy Chief Richard Gledhow on the other.

The causes of disagreement, as stated by the steward and cook are —

1st. The too rigid enforcement of prison rules and discipline by the officers named, among things in connection against the steward and cook, and a disposition to force them out of the prison service due to the constant reporting by Beaumont and Gledhow of alleged offences, and breach of discipline which the steward and cook think are not worthy of notice, or too frivolous to require reporting.

2nd That the Steward should be required to conform to prison discipline, as a guard, and that he is deprived of privileges that he should have.

3rd To bad feeling and enmity against the Catholic officers and guards, aroused by the combined statements of Deputy Chief Gledhow.

On the other hand it is alleged in the evidence of the Warden, and the Chief and Deputy Chief Guards, that the steward and cook constantly ignore important prison rules, and disobey the Warden's orders thereby injuring the discipline of the prison both as believed by the officials, the prisoners and the prison management. They further allege that although the cook and steward have time and again been reported for such offences against discipline and the rules of the prison, they persistently continue in such courses.

Such being the causes of the antagonism existing between the officials named, I propose to deal with them in the order in which they are placed.

1st. The evidence proves that the discipline of the prison, in relation to the duties and conduct of officials is generally strict but for a new prison undergoing organization I do not think that it has been or is unnecessarily severe unduly rated the opposite course I am convinced while it might have obviated some unpleasantness, would have been most disastrous to the best interests of the prison. This rigid but wholesome discipline, as far as I can discover has been applied to all the prison officials alike, with the result viz —that the guards none of whom chafed at first under it, have accepted the position, and now without exception perform the duties required of them, not only willingly and cheerfully but with an intelligent appreciation of the necessity of strict discipline. The steward and cook, on the other hand as would appear have kept up a continual protest, sometimes active and sometimes passive, against certain rules and orders and not unfrequently they have ignored the one and disobeyed the other. Some of the offences and breaches with which they have been charged are trifling, and others flagrant, but their course generally has been one of antagonism to discipline. For instance, an order is made, prohibiting smoking before or with prisoners, while on duty; the order is disobeyed, openly and defiantly; it is ordered that prisoners while at work must not be left alone, but this rule is persistently disobeyed by the cook, and frequently by the steward that all officers and guards must attend evening counts, and remain until all the prisoners are accounted for is constantly ignored, both by the steward and cook, the order that they must be present along with other officers and guards when the orders for the day are read, they persistently refuse to obey: that they must not be familiarly with prisoners is so much abused, that when prisoners are removed from the kitchen to other gangs, they are found unmanageable that all officials are to be in the prison at certain hours is frequently violated

These, and other breaches on the part of the steward and cook, have been so frequently reported, that the officers charged with that duty now leave the offences unreported.

I have examined the orders referred to, and the circumstances that seemed to call for their promulgation, and cannot see in them, as the means taken to carry them out, any evidence of a desire on the part of the Warden or his subordinates to domineer over the steward and cook, or to annoy them or even to irk them to unnecessary inconvenience. The fact appears to be that both the steward and the cook are imbued with the idea that strict discipline means tyranny, and that the officers charged with the duty of enforcing it are their enemies.

The guards of the prison being composed of soldiers, accept the position, the steward and cook being civilians protest against it.

2nd. With regard to the complaint of the steward, that he has been deprived of perquisites, and also that he is required to conform to certain rules which he believes should only apply to prison guards, the evidence shows that Mr. McCarthy only comes under the rule referred to in his capacity of steward, having prisoners in his charge. In the performance of his duties as storekeeper, he has been to all intents his own master. It is very clear that if prisoners are placed under the charge of the steward or cook or any officer of the prison they must be held responsible for them: as prison guards they must account for such prisoners every evening, and see that they observe the rules and regulations of the prison. In these respects but in no other, have the steward and cook been looked upon as prison guards.

It is quite possible that if By-laws had been framed at the opening of the prison regulating and defining the duties of every officer and employee many of these troubles might have been thwarted but until observation and experience revealed the requirements of the prison in these respects, it was not considered desirable to frame By-laws that might have to be amended when after such observation they were found defective and unworkable. Sufficient experience however, has now been obtained of the working of the prison to enable such By-laws to be enacted as will clearly define the duties of all officials and leave no doubt as to the privileges they are possessed of or the nature of the duties required of them.

3rd The evidence in support of the statement that Deputy Chief Guard Stedman harbours bad feeling and enmity against the Roman Catholic officers and guards, is confined to two witnesses, viz Chief Guard Eastwood and Guard Gifford. The statement made by Stedman to Beaumont and which the former asks us to be correct in, I think as explained by Stedman upon oath as to show that it must be untrue or ill-feeling existed in his mind on that occasion against the Roman Catholic employees of the Prison.

Guard Gifford's statement that Stedman had invited him to join with him and one or two others, in order to get the Catholic employees out of the Prison is pronounced false by Stedman, but as this evidence that Gifford told others of the conversation a short time after it took place, I am inclined to think that such an approach was made by Stedman to Gifford. For the particulars I refer you to the evidence of both the parties, no evidence was given to prove that this feeling extended beyond the 2 men referred to, and I would suppose that the Warden warned the chief officers to be very guarded in this respect.

These, therefore are the sources of the antagonism that exists between the officers named and the results of such antagonism upon the management and discipline of the prison. In addition to the want of harmony between certain officers of the prison to also come out in evidence and, in my opinion, we clearly proven that liquor had been introduced into the guard room and guards dorm tory and there drank by certain employees of the prisons That report has been brought to the notice of the Warden only on one occasion although it is evident that it was of frequent occurrence but on the occasion referred to a very stringent order was read to the employees of the prison warning them that such an offence would meet with instant dismissal The following rule was also promulgated, viz —

Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating liquors in or about the prison. Intemperance will insure instant dismissal.

Notwithstanding the order and rule referred to it was proven clearly that liquor

has since been brought into the prison, although this offence did not come to the knowledge of the Warden or his two Chief Guards.

It also came out in evidence that Chief Guard Beaumont, on more than one occasion, was present with some of the guards and employees when drinking was going on on the evening, at a tavern close to the Prison

In order to remedy the results of the antagonism referred to, and the other defects in the prison discipline, I would most respectfully recommend :—

1st. That by laws be prepared and enacted for the good government of the prison, defining the duties of every officer and employee, and the relations they must maintain to each other.

2nd That the cook and baker shall be looked upon as a prison guard, and shall be subject to all the rules enacted for the guidance and instruction of guards

3rd That only the Warden, the Chief Guard, the Deputy Chief and the ordinary guards, shall board and lodge in the prison

4th That the duties of steward and storekeeper shall not be performed by one and the same person Mr McCart[illegible] shall [illegible] to the duty of storekeeper and in addition shall assist the Bursar in keeping the books, &c. the duties now performed by the steward shall devolve upon the Chief or Deputy Chief Guard on the Warden shall direct.

5th. That a separate office from the Warden be assigned to the bursar and the storekeeper

In the way above indicated, I think that the chief sources of antagonism will be remedied the discipline of the prison rendered more effective, and its means of good government generally improved

I have the honour to be,
Sir
Your obedient servant,
J W LAKOMIDIS,
Inspector

Evidence taken at an inquiry held by the undersigned, Inspector of Prisons, &c., for Ontario, into the conduct of certain officials and guards of the Central Prison of Ontario on the 10th Feb. 1873.

DANIEL MCCARTHY Steward and Storekeeper of the Central Prison, being sworn, deposed as follows :—I have been informed that whiskey was brought into the prison room by Guard Bollard my information was English the cook of the prison Of my own knowledge I was not aware that whiskey or intoxicating liquors was introduced or brought into the prison by any officer or guard of the[illegible] I have never seen it there. I was informed by J mes O Brien on Monday the [illegible] February in the morning of same (O Brien) had been in the habit of drinking liquor on the prison premises, with Chief Guard Beaumont. He said he drank liquor with Beaumont, both in the guard room and the tower The bailiff Mr Murdoch, also told me that he has seen liquor on the prison premises, and being drunk by officials of the prison I have drunk liquor with Beaumont, at Higgens' tavern, about seven o'clock in the evening, about two months ago. On that occasion, Mr Stedman was away from duty, and I believe Beaumont was on duty I have known Guards Bollard and Doherty to drink in Higgins' tavern with Beaumont that was on the same occasion as I drank or in the [illegible] I have also present on that occasion I do not know but what all the guards had been to see on, and I [illegible] all guards on such occasions came at 8.30 p.m

English the bailiff told me that on the night the Warden came home from his leave of absence, on the 6th November that he was delivering prisoners from the west, that he (English) said to a guard who was present that the Captain must be home for there was his dog on the door step he on looking English said he found there was Guard Bollard lying drunk on the steps English stated that Bollard was then [illegible] he being then about 9 p.m, by the night corridor guard I have known oysters suppers to take place in the guard room. On one occasion Mr Stedman and Guards Bollard Wetford, Doherty and I

chink Graney, were at the oyster supper; it was about a month ago; I was not present; I went to bed. I know of no thing more in respect to the introduction of liquor into the prison premises.

On the first Sunday that Roman Catholic service was performed in the chapel, Father Rooney was officiating. It was customary for the Catholics to kneel down at prayers. Father Rooney, observing that the prisoners were standing up, said, "how is this?" Deputy Steelman said, that's the order, sir. The clergyman demanded to see the Warden immediately. He was told by Mr Steelman that the prisoners might kneel down on that occasion. On the Sunday following, that is the one succeeding it, Deputy Steelman kept his back on while close to the altar sitting; he kept his hat on until after the Gospels were read; he then took it off. I think he observed that we were speaking about it; on the appointment of Somers to a guardship acting the Warden's sleeper. I attended service in the chapel on Sunday during church, I observed Guard Somers kneeling down, and when church was over, Mr. Beaumont told me that Mr. Steelman came running to him to say, that Somers was a Roman Catholic, and that if the Captain had been here he would not have sworn him in. The bailiff, Mr. English told me that Deputy Steelman called Guard Gifford out of the guard room one Sunday shortly after the prison was opened, to ask him to help him to clear the Papists out of the prison; Guard Gifford said he could not do so, as he was married to a Catholic woman, I have not heard any such expressions as Rodrigo against Catholics as affirmed by anyone in the service of the prison but Mr Steelman. Mr Beaumont has told me that such feelings existed in Steelman's mind. I do not think Beaumont has such feelings. I am sure that the Warden has no such feelings, but I thought Cattanach that Steelman should be allowed to use such language, I think the Warden must have known something about it, because he heard the Warden use the expression that Beaumont and Steelman were at loggerheads. Beaumont and myself always kept the Baker English and myself down like dogs. Respecting the key trouble I had a key which opened the guard-room door the kitchen door and I think all intermediate frame doors. Being in a hurry one morning I opened the guard room door with this key the next key I found that the Warden had a new look put on the door. I asked him why the look was put on as there seemed to be no use for it as far as preventing prisoners from escaping. the Warden said then there was no fear of those prisoners escaping. but I think that the key and look was changed only to bother me.

I was aware that there was a regulation that no officer on guard was to be admitted through the door except they rapped. but I did'nt for dispensh

The two prisoners who are in charge of myself and the cook require to be constantly under an eye, although the offences are slight. whereas the prisoners in the guard room are in for longer periods, and do not require to be watched. knowing that we (that is English and myself) to be original

The Warden also objected to my taking flour from the north store-room door through the front grounds, into the kitchen door, and that I was ordered to be taken through the corridors to the bake-house, and after that the order was changed to take it through the kitchen involving going down one pair of stairs and up another. as we found that that could not be done. it is now taken through the receiving lobby and receiving room then through the lumber hall into the prison yard. I believe this is all to give the key and no trouble.

During last summer I think in August I allowed two friends of mine who had passes, signed by some person I don't know who, to enter the prison by the store-room door I had this in ignorance of any regulation against such an act, and I thought as there was that sufficient confidence would be had in me to know that I would not admit any improper person

But in taking my friends into one of the shops Lyons, the gate keeper at the instigation of Steelman I think came up and ordered my friends out I at once took them out.

For this I was brought before the Warden and severely reprimanded and was told that I must not admit any body by that door an order was also placed in the order book to some such effect

On another occasion I was reported for admitting strangers through the store-room door in the face of that order. the first was, two men came to me with a desire to look at the prison kitchen ranges, and I admitted them thinking that an exception would be made in such an instance. but I was immediately reported and Beaumont said, You are reported again" as if all they wanted to do was to report frequently against me.

I complain that I have no privileges whatever, and that I am harshly dealt with, and although the order had reference, I suppose, to all officers, still Mr. Short was allowed by the Warden to take friends into the prison, the Warden I am informed, remarking that the order only referred to the Steward and Clerk.

D. McCARTHY.
Steward T. S. K.

JOHN ENGLISH, Bailiff of the Central Prison, being sworn, deposed as follows. I remember the night on which the Warden returned from his leave of absence in November. I came down as far as Hamilton with him from Windsor and stopped off at Hamilton to get more prisoners. I arrived at the prison at 11 30, p.m. Guard Cassidy met me at the town and came on to the prison with me. When we came to the steps of the south entrance I saw what I thought to be the Warden's dog, but what turned out to be Guard Bollard lying on the steps, apparently quite helpless from drink. We lifted him up and rang the bell, when the sorrowful guard answered the bell. He pointed Bollard; he must have seen that he was drunk as he staggered very much. I kept behind him (Bollard) on going up stairs to prevent him from falling. I did not see Deputy Chief Blackman that night at all, and I don't think that Stedman saw Bollard in the condition in which he was. I never heard that the night overseer (guard) reported the case of Bollard's drunkenness. He should not have been appointed night overseer at 9 p.m. I came home to the Prison one night about a month ago, and on coming to the door of my room I found the door locked. On getting in I saw guards O'Brien, Lee and and Stevens in the room. They were drinking out of a bottle what I took to be whiskey. I could not say. I think there were other guards present, but I cannot tell. Stedman was the time was in his room. He knew that the persons named were in my room but I am pretty certain that he did not know that they had liquor. I never was present when liquor was drank at any time that Chief Beaumont or Deputy Chief Stedman had any knowledge that such was the case. I have known Mr Beaumont to drink with guards outside the prison in Higgin's tavern between the hours of 6 30 p.m. up till 9 30 p.m. I have seen him drink with Bollard, O'Brien, Doherty Lyons and Cassidy. I don't think the Deputy Chief was present and Mr Beaumont on duty I was asked by the Warden to get Mr Beaumont. I told the guard to go to Higgin's tavern and he would find him. As both the guard and Beaumont came in together I suppose he found him at Higg us tavern. I have known guards to be drunk on the premises quite frequently. I have heard boisterous talking and other evidence of drunkenness. Mr Stedman must have heard also, as he is quite as near as I was liquor I think, has an effect upon Mr Beaumont. I remarked to him on the night on which I sent the guard for him at the request of the Warden, that he would soon be caught: he (Beaumont) said that liquor had no more effect upon him than a blister on a wooden leg. I never saw any sign of liquor on Mr Stedman, nor can assume I saw Bollard take a bottle to Lyons' bed and give him what I thought was liquor as Lyons became sorry as well as others this only happened about a fortnight ago. Mr Beaumont told me that Stedman had spoken of the appointment of Somers who is a Roman Catholic, as something that should have been prevented so far as I know no feelings against Catholics have been shown by my one nor Stedman and that is only hearsay

JOHN ENGLISH.
Bailiff Central Prison.

SAMUEL GRAUBY, guard being sworn deposed as follows.—I have seen liquor in the guard-room of the prison. I cannot say who brought it in The last time I saw liquor there was two weeks ago. Neither Ch of Guard Beaumont on Deputy Stedman were present when liquor was being drank. I never knew that liquor was taken to the tower by guards on duty Guard O'Brien was the only guard that I ever saw positively drunk. I have seen others who had liquor in them I don't drink liquor don't know the taste of it.

SAMUEL GRAUBY
Guard.

WILLIAM DOHERTY, Guard being sworn, deposed as follows—I came to the Prison on the night of 6th November with the Bailiff. I had been detailed to go down to the station.

We arrived at the prison about 11 p.m. I saw Bollard standing on the mouth entrance steps: he seemed to be an invalid. He did not appear to be drunk. He was standing. He walked up to the guard room all alone. I went with the Bailiff and the prisoners and looked them up. I think it was O'Brien who was acting that night as corridor guard. When we locked up the prisoners, the Bailiff and I went up to the guard-room and I went to bed. When I went inside the guard-room Bollard was in bed. I did not see Mr Stedman from the time we came in with the prisoners until I went to bed. I heard no remarks made by the bailiff or by the corridor guard who let us in as to Bollard's condition.

I swear that I never drank liquor in the guard-room. On one occasion I took liquor in the Car Company's office. Mr Baines gave it to me. I was unwell. That must have been two or three months ago. I have been in Higgins' tavern with Mr Beaumont. I dined with him at one two occasions, once in Higgins' and another time at the Marlborough House. We were both off duty. I was at an oyster supper at Higgins' about a month ago. Beaumont was present.

WM DOHERTY.
Prison Guard.

MICHAEL ENGLISH Cook and Baker being sworn deposed as follows. "I informed the Steward, Mr McCarthy that I had seen whiskey or liquor being drank by officials of the prison in the prison premises on or about Christmas Eve. I saw Guard Bollard, Lyons, and Guard O'Brien drinking in the steward's room at 8.40 p.m. The steward and bailiff were not there at the commencement, but the bailiff came in about 9 p.m. I went into the room in order to sleep in the steward's bed that night. I was in the room when the three guards named came into the room. Bollard went out for the whiskey about 8 p.m., and came into the room with one bottle first after that, another bottle was brought in by Bollard from the tavern. Doherty came into the room while the drinking was going on and also frank some. I drank some also. The bailiff drank none. The door was locked. I saw Mr Stedman before the door was locked he did not come into the room. There was some noisy talking. I have on two occasions seen liquor being drank in the guard's bed-room. I may have been two months there. I don't know who brought in the whiskey on those occasions it was brought from the cupboard where the guard keep their clothes. Lyons, Doherty and O'Brien drank on three occasions. I did once. I don't know who brought the liquor into the room. It was drank when we were going to bed. I have drank on three occasions with Chief Guard Beaumont in Higgins' tavern and Chambers Tavern. On the two occasions on which I drank with him in Higgins' tavern he (Beaumont) was on duty as Mr Stedman was away from the prison after having dined with him. Beaumont returned to the prison after he should have done night. I never drank with any other officer of the prison. I think it was in the fall that I last drank with Mr Beaumont in the tavern. I never saw McCarthy drink liquor on the prison premises as off. I have six prisoners under me in the kitchen and two in the bake-house. The Warden told me that those prisoners were under my control. I was first reported for smoking and on being brought before the Warden was reprimanded. That was about six weeks or two months after the prison was opened. I was in the foreclosure store. Stedman was not. Since that time I was reported for smoking on a Sunday morning, in the prison yard on my way from the water-closet and one morning last week I was reported for smoking in the Steward's room. These are the only times that I have been reported for smoking but I have often smoked on other times the last time the Steward and Bailiff were made up also, but I believe they were not reported. I have also been reported for being asleep on duty. I was sitting in the kitchen with my newspaper in my hand I saw Mr Stedman before he was half way across the kitchen. I have also had prisoners taken away from me when I wanted them very much they were kept an hour or three quarters of an hour which I have done that was when the Warden was away on leave of absence. I was obstructed in taking the time out from the store to the quarters way on one occasion one of the prisoners was caught smoking in the bake-house, and he was put 36 hours in the dark cell although I wanted him very much I was not aware at first that I was not entitled to smoke. I have asked the Warden to get off on Sunday from 4 p.m. to 11 p.m. I have been granted that concession but sometimes it has been refused on one night about three months ago, it was then the 4th of November I came to the prison at 11 p.m., I found the

door locked; I tapped at the north corridor window; I saw Guard O'Brien, and thought he would have gone to the Deputy to ask to allow me to be admitted; he did not come to the window again for about hour; but I did not hear what he said; I then came around to the south entrance, and tapped at the window of the receiving room; no one came; I then walked up and down until 8 A.m. then I rang the bell at the large gate when the Watchman Hardy let me in. I should have been in the prison at 2 30 p.m. on that occasion; but I was detained with some business; about two weeks ago, I came about 9.27 p.m. and could not get in, and went and slept at a house on Queen Street; I have not heard of any guard being let in after 9.30 p.m., unless he had a pass, unless I heard that Ballard on one occasion did get in. On the Sunday of the 28th of October I obtained leave of absence to leave for the whole day that is I left on Saturday night and returned on Monday morning; the Steward looked after the cooking; I did not think that it was necessary to obtain leave from the Warden; I have since learned that it was necessary to obtain the Warden's leave of absence. I consider the rule cancelled. Rule No. 4 is to be altered out; I cannot give an instance. I have no means of knowing, I have seen work done in the absence both by prisoners for Mr Stedman and Mr Beaumont, and if I got anything I would at once be reported. I have known that anything has been done for my officer or guard since the order issued on Nov. 18th, that only Germans could work to be done, I think both Mr Brown at one Mr Stedman spoke to me. I know my business they never found fault with my cooking or baking but they interfered with my work. I have never heard the Warden or Mr Stedman or Mr Beaumont speak against Catholics employ but it was the unrelaxed picking this made me believe they wanted to get rid of me.

MICHAEL ENGLISH,
Cook and Baker

RICHARD BOLLARD, Guard, being sworn, deposed as follows.—I have never brought whiskey into the guard-room of the prison. I was present one night in the Steward's bed room when the Steward was absent, along with English the cook, and Guard Green and O'Brien the Bailiff did not come in until the drinking was over; I think Doherty drank liquor one night with O'Brien. I remember the night on which the Warder returned from his leave of absence. I did not go to the door last night at 9.30 p.m. but I know the Bailiff would be up with the prisoners at about 11 p.m. I waited till he came when I was in as I went upstairs myself when the Bailiff and Doherty came up to the door I heard the Bailiff say "the Warden must be home because there was his dog." I suppose meaning me. I was sitting down and I heard them coming when I got up and walked and stood up. I have drunk with Mr Beaumont in Magrus' tavern in the evening after the person had closed the last time was about a week ago.

RICHARD BOLLARD,
Guard.

WILLIAM GIFFORD, Guard being sworn deposed as follows.—I am a married guard, on one day of the week I sleep in the guard-room two nights in the week and the week succeed my three nights in the week. I have never drank liquor on the prison premises, nor have I seen any drank about three or four months ago I was in the Bailiff's bedroom, when Mr Stedman came and knocked at the door and told me he wanted to see me down in the Warden's Office. I came down with him he said he had asked me down as he wanted me said one or two more to join in with him in crying — put the Cathol as out of time. I at once said he had got the wrong man this time, my wife is Catholic. I stood and looked at him for a few minutes, and turned and walked away to the guard-room he followed me, but he has never spoken to me more on the subject. I told this about a month afterwards to Guard Doherty also to the Bailiff and in the guard-room, when several were present. I have never heard any such expressions used by any other officer of the prison. I have not seen anything that would lead me to believe that Catholics were to be got rid of—but the statement made to myself by Stedman. I know of no cases of favouritism being shown to any guard or employee of the prison

WILLIAM GIFFORD
Guard.

JAMES BRAMHURST, Chief Guard, being sworn, deposed as follows:—I came into the prison in the morning at 6.30 a.m., since the Canada Car Works have been shut down; while they were in operation at 6.30. My house is on Wellington Avenue. I parade guards at 6.45 a.m., when the Canada Car Works were in operation, but now at 7.45 a.m., and augment the guards to their respective duties. I supervise the issue of breakfast to all the prisoners throughout the prison; see that it is properly and promptly served. I then post the corridor patrols, and then the guards go to breakfast, and I go with them. The prisoners are then marched out with the night buckets, and then marched back and placed in solitary, when the gangs are distributed for the work of the day, whether for shop or outside duty. When the guards report the gangs complete and correct, I then give each gang the order to march off. I then visit the various gangs, and see that they are all properly at work. I then come to the office and go on with my writing; see that the mats for discharges are got ready; when they are marched in I go away. In the afternoon I then receive the instructions of the day from the Warden, and go and see that they are carried out. The time up to dinner, is taken up with supervising the affairs of the prison generally. At dinner time the gangs are mustered, and numbers reported to me, which I check, which I report to the Warden; after their prisoners' dinner, which takes up from about 12.15 to 12.45 p.m.; half of that time, one half the guards are on duty, while the other half are at dinner. The gangs are then marched off at 12.45 to their respective shops, or works, each guard numbering his gang and reporting to me if correct, in other words, before moving off. In the afternoon I visit the shops. Am present at visits to prisoners. Show visitors round. Do office work and general work up to supper time, when the prisoners are marched in. I superintend the issue of supper. See that all the prisoners are all searched as to their respective galleries. See that the the guards are all in their proper places, give the signal for cell doors to close, parade guards and take the count report to Warden and dismiss the guards; post the night patrol, and then go to my supper, if Mr. Stedman has been off absence to stay out all night, I stay on the premises if I see any dereliction of duty on the part of any guard or employee of the prison, or any infraction of the rules, I use my discretion as to whether it is sufficiently serious to bring under the Warden's notice or whether it should at once be settled; but if I settle the matter I consider the parties that a repetition of the offence will be reported to the Warden the number of cases that I settle are about so many as the number of cases that I report the Deputy Chief, Mr Stedman, reports to me, and if his reports are of such a nature as I can settle, the report is not carried to the Warden, unless the Deputy desires it. I have frequently had occasion to report the conduct of the Steward to the Warden. I think that the first report I made against him was that he would not attend evening parade to hear the Warden's orders read the orders are read every night at first the Steward attended at evening parade, but about six weeks after the evening he neglected to attend. An order was then placed upon the order book requiring the attendance of all guards and every prison officer on the 20th June. The Steward did not hear this, when an order issued on the 7th July only requiring the attendance of the Steward at the reading of orders when an order was to be read affecting that official's duties after that order was made on the 7th July another order was made in respect to the duty of the Steward. I notified him of it but he did not attend I again reported that to the Warden. The Steward has not attended at the reading of orders since before the 20th June, although frequently orders have been made in respect to his duties. Since that, I have taken the book to him and read the order affecting him although an order was made rendering the steward liable for the care of the prisoners in the kitchen and bake-house gang I have counted very frequently that the Steward ignores all rules in the manner of dealing with and speaking to prisoners, he generally calls them by their Christian names— my boys"—or Mr them and instead of giving a direct order he asks if they will be good enough to do so and so The Cook (English) follows the same course, which does away with all Handsome, as I am more observable in the non-list of prisoners removed from the kitchen and bake-house to other gangs Both Steward and Cook smoke before prisoners. I have reported both of them for this, and the Deputy was reported to me for the same offence.

The Steward has stated to me that he would not obey the Warden s orders. Only last week I told him that he must give up at night, the key of the cookin door of the

storehouse he dashed it down on the floor and used the language stated in my evidence before the Warden, and which I now swear is true and correct.

(Statement referred to.)

JAMES BRADMORE Chief Guard, Central Prison states as follows —I am the Chief Guard Central Prison; my duty is to take over all of the outer doors Central by being at morning muster," in accordance to orders. On the evening of the 1st of February instant, finding a key deficient which should have been handed over to me by the steward I proceeded to the store, and asked the steward for it. The steward became very violent,—jumped up from his seat, and dashed the key upon the floor saying There is the d—d key it has been as apt-sore to Prison yourself and Mr Stedman ever since I have been here, and if I am to be reported, I'll make statements true or false, and swear to them and get others to swear to them which will make it hot for you and other d——d Englishmen in the Institution for another Prison, you nor Stedman shall make me subject to your d——d arrary due plus. The steward turned every one in the prison and snapping his fingers in my face addressed me saying, Do you call yourself a man in doing, at an age?" Finding it was impossible to reason with him, I left the store This took place in presence a prisoner and the cook the latter stood by laughing.

JAMES BRADMORE,
Chief Guard.

A short time before the last occurrence happened, the guards complained of the bad quality of the coffee. I sent to the kitchen for more tea, when I received a message that We never make up our minds to have either all tea or all coffee. I then went to the cook and asked him if he had sent that message, he acknowledged in a very sulky manner that he did When the Steward came to the prison that morning about 10 a. m I asked him where he had been he said he had been in the city in connection with the stores. I called the cook up before the Steward and related the circumstance about the tea, and impressed upon them that I would not allow such a message to be sent to me that it was the Warden's orders that both tea and coffee were to be served and that it must be properly cooked The Steward said the cook was wrong, and promised that a repetition of it should not again take place. Except this I was not aware of any cause for their invocation and anger shown by the Steward on the occasion of my asking the key me had sent in one key at the proper time, and as I had occasion to go into the storeroom to order some tallow I merely reminded him of the other when he broke out as stated I had only spoken of the Guard Mansell letting the Steward in at the time I went to get the tallow and to remind him about the other key. But what he spoke of Mansell having reported him to me, I merely reminded him that I was acting as a medium between the prison officers and the Warden.

I have previously reported to the Inspector that the Steward had let persons into the prison through the store room door contrary to the regulations. Before reporting him that he was violating the rules and that I would have to report him, he said, " report it, and do your best, I don't care.

From all I can see the steward and the cook are getting more defiant of the Prison rules. I have over and over again reasoned with them, thinking they would come under the discipline the same as the other guards. They both said that they would not be classed as guards.

During the Wardens leave of absence, on the first Sunday that Somers was on duty, Mr Stedman came up to me and said " Why Somers is a Catholic" I said " what matter, if he does his duty" I said that very sharply Mr Stedman turned round and walked away The Warden before that, had frequently warned us not to introduce or discuss religious matters, as he had much trouble with that in the Tukee Force. That is the only occasion that the matter of religion was alluded to between me and that is the only time I heard a religious matter referred to in the prison by no officer or guard I never, in any occasion whatever, saw liquor drank on any portion of the prison premises. I was of opinion that O'Brien brought liquor in secreted upon his person Meehan was also suspected of doing the same thing I have called in on my road home at Hogan's

tavern on several occasions, perhaps three or four times. On these occasions, I have seen some of the guards, and have drunk with some of them in Higgins' private room never at the bar at the tavern. I never visited Higgins' tavern while I was on duty. I believe I remember the night that the Warden rang the bell for something, and that I was sent for. I believe that either Easson or Elliott the guards, came and found me waiting in the door of the waiting room. I was not at Higgins' tavern that night. I have seen the bailiff at Higgins' tavern, we have had oysters together there. I think one or two guards were present. Twice, I think I have been to Higgins' with my uniform on. No prison officer ever cautioned me upon this subject. I do not think I was doing wrong in associating with the guards, who held non-commissioned rank, the same as myself. I have never known that Hollard was drunk. I thought he was a very sober man. The guards perform their duties cheerfully and faithfully. I never have any trouble with them. The steward and the cook are the only persons I have had any trouble with, and the principal trouble with them has been their non-interfering with the rules of the Prison.

Frequently I go down to the kitchen, and find the prisoners alone. About four mornings ago I went down five distinct times, and found the cook away. I then went into the store and found the smoking and reading. I spoke to him, telling him he was considered it right to go to the store-room when he had so many prisoners in the kitchen; he said yes, if it suits me." When I expressed my surprise he repeated his answer.

J. MPS BEATHMONT.
Chief Guard.

RICHARD STRICKLAN Deputy Chief Guard being sworn deposed as follows.—I have never seen liquor drank upon the prison premises. I have seen guards drunk and have reported them. I have for this offence reported one Meehan and O'Brien. These are the only guards or employees of the Prison that I have seen intoxicated on duty. O'Brien was discovered on Sunday the 31st January quite drunk. I sent him home and reported him on the same morning. I saw a bottle, of what I supposed to be liquor in the steward's room. I came down to inform the Warden and when I went back I found not the bottle had been taken away. I knew that O'Brien Hollard and Somers, frequented in the steward's room one night, as they were noisy and thought that they were drinking, but as the door was locked I could not go in. Grand Gracey was only in for a short time, when he came out, I tried to find out what was going on but Gracey would not say. This took place a few nights before O'Brien was dismissed. I reported to the Chief Guard that I suspected that drink was going on. I have reported the following guards for various offences and breaches of the regulations Custode Doherty Gracey Meehan, O'Brien, Cantis, and Abernethy. Owens and Abernethy were dismissed upon my evidence. I have also reported the steward and cook on three or four occasions the offences for which they were reported were repeated the cook was reported on one occasion for being asleep, to another for smoking and reading a paper while in charge of prisoners. I have very frequently reported the cook for smoking while on duty so much, that I thought there was no use of reporting him any more. the cook is altogether too friendly with the prisoners he associates with them whenever I go through his kitchen he is talking, sometimes laughing with them frequently asking them to sit down. I have reported the steward for knocking on the prison premises twice in the kitchen, when prisoners were present twice I reported him for coming in late. I have stopped reporting offences or breaches of rules on the part of the steward and cook. The guards are most obedient—do their work cheerfully. I never had any conversation with Grand Gifford about the religions of the guards or officers of the prison. I do never asked Gifford or any other guard, or any officer of the prison to join me in trying to get Catholics out of the prison service. I am not crazy enough to do such a thing. I have had private conversations with Gifford but never on the prison premises, about religion but I deed no to say what it was a private conversation but it was not against Roman Catholics I never said anything to Gifford that would lead him to believe that I wished to get rid of Catholics. I have not reported Gifford or have had any misunderstanding with him. For the first four or five months I led the life of a dog in the prison, simply because I did what I once lead to be my duty but now that they all know that I will do it I have no trouble. The guards

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sure's do into such for me. I remember the first morning that Guard Somers attended the Roman Catholic service; when it was over I said to Mr. Beaumont that Somers is a Catholic, Mr. Beaumont said, I thought rather sharply, "what of that if he does his duty." I thought he was rather sharp, and walked away; I was going to say to him also Roman Catholics cannot say anything now as I was the one that recommended him to the Warden as being a capital man. At first he served as a guard for the Car Company. I had heard from conversation in the guard room that there was some feeling against me by the bailiff and the men; I learned from the conversation that it was supposed I was against them because they were Roman Catholics. This feeling as that time was general against me because they say I was too strict, that I carried out the Warden's cautious orders. That is now completely changed. I think the way the trouble in respect to Roman Catholics arose, as far as I was concerned, was because I first reported the cook for some offence; I did not know that he was a Roman Catholic then; then I had to report the steward, then I had to report Meehan; as they all happened to be Roman Catholics, I think the feeling first came out in that way; I was convinced that it was the case because the next day after I reported Meehan I heard the steward say in the guard room "the Deputy is going for the Catholics;" that made no difference to me, I had no ill feeling against Roman Catholics, the best friends I have in Toronto are Roman Catholics, at the first Roman Catholic service that was held in the prison chapel, I never duty; the Warden ordered that prisoners were not to be there. I was sent to Albany Penitentiary to observe the discipline of that prison prior to the opening of the Central Prison; prisoners were not allowed to kneel, neither at the Roman Catholic or Protestant service. I reported that fact to the Warden. The priest on the occasion of the first Roman Catholic service in the Central Prison said that we had not brought our service unless we kneel down. I tried to explain the matter but as he would not hear of it, I told the priest that the prisoners might kneel and that I would speak to the Warden, having done so the Warden said that kneeling might be continued. When I came into the prison chapel on that morn ng with the prisoners I had no my officer say. I removed it as soon as I gave the knock for the prisoners to sit down. I did it to allow the prisoners to walk about in the chapel before the priest came. of course, as soon as the priest came I took my seat, and never interfered after the Sunday. I have heard the bailiff offer to pay all expenses if Guards Gracey and Doherty would go with him to a house of ill-fame. I never saw Mr Beaumont do so in guards in a tavern. The orders made by the Warden affecting the stewards department are not carried out; I have heard the steward say when he was in his flying temper that he would not obey such dastardly orders. I remember the occasion on which the cook came up to the prison late, and was not admitted at 11 p.m. I heard knocking and kicking on the outside of the building. I was going to get up, when the guard on duty came to tell me that the cook was outside wanting to get in. I told him he must not admit him the noise continued until it woke me again and the noise of kicking and knocking continued until he was let in in the morning. he would have been admitted at 7 a.m. I represented him self the rule in respect to locking up and non-admission is strictly carried out. Guard Powell reported the cook that morning.

RICHD. STEDMAN,
Deputy Chief Guard.

MARTIN SOMERS, guard, being sworn, deposed as follows.—I was present in the steward's room one night. I think about the 27th January. Guards Bollard and O'Brien were present. we drank whiskey in the room. Bollard brought the whiskey in. I don't know from where Bollard brought a second bottle. I don't know where he obtained it. The bailiff came in about nine, and we left the room and went to bed about 10 p.m. I am a Roman Catholic, I have seen no bad feeling against Roman Catholics in the prison service.

M. SOMERS,
Guard.

WILLIAM SPRATTON PEIRCE, being sworn, deposed as follows.—At the time a change was made, Guard O'Brien I think, in the month of September it came to my knowledge, by the report of one of the guards, that liquor had been introduced into the guard's room by

Guard O'Brien. I reported the matter to the Inspector in connection with other charges, and dismissed O'Brien. I also produce a copy of my order published in the prison order book, and read to the guards and employees of the prison on the 13th of August, the day of the reinstatement of Guard O'Brien.

Order referred to.

Prison Order, June 456.—II. Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating drinks on or about the prison. Intemperance will lamps dismissal and will never be overlooked

CENTRAL PRISON
August 13th 1874

Order No. 1.—With reference to order No 2 of the 1st August, disposing of a charge proved against Guard James O'Brien —The Warden having taken into consideration that the offence therein specified has been the first of the kind that has been reported to him in connection with the officers of the Central Prison since its organization he cancels that part of the order dismissing Guard O'Brien from the service of the Central Prison but with the distinct understanding that upon a repetition of the offence of intemperate, deprivation of duty or that of bringing the character of the institution into a disrepute by *frequenting and drinking at taverns* will result in his dismissal it is determined that the strictest discipline shall be enforced in the Institution and that those officers, who are wanting in habits of discipline and sobriety shall not be retained upon the staff

I think that the promulgation of the order referred to had the desired effect for the time being, as I heard of no cases of drunkenness on the prison premises, until I found Guard Meehan asleep when on duty as corridor night guard and evidently under the influence of liquor I had previously noticed that Meehan had been a hard drinker and refused to accept him as the prison staff owing to that failing advanced years, and nervous temperament. Meehan was dismissed. The charge against Meehan was published in the order book on the 21st November and read to the prison officers and guards on that day with the result thereof we summoned. The third case of drunkenness reported was that of Guard O'Brien on the guard room and corridors. I had strong suspicions that O'Brien brought in liquor and made himself beastly drunk on the premises. O'Brien was sentenced, and the charge and result published in prison orders, of the 2nd February These are the only three cases of drunkenness reported on the premises. I have had several conversations with the Deputy Chief, which led me to believe that on two occasions guards were locked in the steward's room, drinking but evidence that such was the case, could not be produced. I was aware that Guard Pollard was physically unfit for the performances of guard duty and so expressed myself but I never thought until this investigation that he was addicted to drinking nor had he ever been so reported on the contrary that he was a sober man. It was reported to me on the 29th January, that great noise was made by the guards after lights were out, and that they had been in the habit of going into the steward's dormitory I suspected that drinking was going on and published an order which was read to the guards, &c. on the 1st February enjoining strict silence, and that the officers confine themselves to the room set apart for them after lights out, or 9.30 p.m I have never seen the slightest evidence of intemperance on Chief Guard Beaumont, and until a short time before this investigation I had never heard that he was in the habit of visiting taverns either by himself or with friends. I recommend Mr Beaumont against such a course. About September after the reinstatement of Guard O'Brien, I suspected that then, a degree of jealousy existed that a degree of favouritism was shown to O'Brien, because he was a Roman Catholic. Deputy Chief Guard happened to report, among the first reports, English, the cook Meehan and O'Brien guards, and Mr McCarthy steward all these happened to be Roman Catholics, and the charges were proven against all, and the officers against prison discipline Orders repealed. From the remarks of the steward who complained that they were so closely watched by the Deputy I gathered that he (the steward), and the cook, thought that they were being persecuted because they were Catholics I explained to them that no feeling of the sort could possibly exist as they well knew that no such thing would be tolerated by me, as fast also heard the

cause in the prison farms—that I did not care what religion they belonged to, so long as they did their duty. I have frequently complained upon the Chief Guard, and the Deputy to guard against such feelings; and a short time after the organization of the prison, I published an order to that effect (Order No. 4, of June 8th). Nothing in connection with that feeling has been reported to me. When the steward first came to the prison, he complied with the prison orders shortly afterwards he refused to attend the evening count, which I considered important, as he had prisoners in his charge which he had to account for. Upon his neglecting to attend an order was made and read to the steward requiring the attendance of every prison officer at the evening count, as it appeared to me to be most important for the safe keeping of the prisoners, that "the officers attend the evening count, and do not absent themselves until the count was ascertained to be correct." Up to this moment the steward has ignored this order. He also ignored the order requiring the attendance of officers and guards at the reading of his General Orders on non-attendance with Order No. 3, of the 7th July. I originally required that the steward should attend the reading of all orders, believing that it is essential that every officer and guard should know what is required of them in relation to the prison service and in their relation to each other; but finding that he neglected or refused to obey this general order, I amended order to his case, only requiring his attendance when the orders touched upon his own duties. He still ignores the requirement, I am obliged to send the Chief Guard to read out order to him. I produce copies of orders from the Central Prison Order-book, as regards the delivering up of all keys of the outer entrance to the centre building, and not admitting persons to the prison after lights out. These orders the steward has ignored. He has retained the key of the store-room door and let himself into prison after hours: he has also left others in. He has also disobeyed order of June 4th, 1874 and June 24th, requiring that visitors shall enter and depart from the south entrance from the central building and prescribing that no one must be admitted to the prison until a pass, signed by the Warden and countersigned by the Chief Guard or Deputy. The steward has generally ignored the disciplines of the prison and has stated that he did not consider that he was called upon to obey the order published the same as a guard. The cook has taken the same course, and sets my orders and the orders of the officers under him at defiance. I have heard the evidence of Chief Guard Beaumont and Deputy Sheehan regarding the breaches of discipline and disobedience of orders on the part of the steward and cook and from investigations made, and of my own knowledge in many instances, I state that they are strictly correct. I have frequently reasoned with both of them but without any good effect.

WILLIAM STREATON PRIDEN,
Warden Central Prison.

Central Prison Order June 8th, 1872.—No. 11. All duties are to be conducted in a quiet and determined manner, and *in boisterous tone of voice in talking, shouting or singing* to the guard room and other parts of the Prison are strictly prohibited

12. Discourteous or impolite of any nature, to co-laborers or anything else, within the prison premises are strictly prohibited and the Chief Guard and Deputy will report to the Warden any infringement of this order that may come under their recognition

CENTRAL PRISON, February 1st.

Order No. 1.—In consequence of the improper practices that has prevailed of the officers creating a disturbance in the guard-room, by talking, arguing &c. after "lights out,"—a practice which is contrary to all prison rule and discipline, and which is peremptorily forbidden at other institutions of the same kind, the Deputy Chief Guard who, in the absence of the Chief Guard, is held responsible for the quietude and regularity of the prison at night time, will report to the Warden any deviation from the following order.

2. It is ordered that silence shall be observed in the guard-room and officers quarters, after "lights out," and that the officers confine themselves to the rooms set apart for them.

Prison Order No. 4. 8th June, 1874.—16. Guards are expected to be courteous and respectful towards each other, never using improper language, and always exhibiting a proper and respectful deportment, and they are to abstain from the expression of any political or religious opinions calculated to give offence.

June 15th Order

15 Lights are to be out in the guard-room at 9 30 p.m. at which hour all officers and employes quartered in the prison are expected to be present, except any who may be specially permitted an extension of time for one evening

CENTRAL PRISON, July 9th, 1874.

Order No. 1 —The Deputy Chief Guard is to have in his possession all keys belonging to the entrance doors of the centre building at night time these keys are to be taken charge of by the Deputy at 9 30 p.m., after personally seeing that the doors are locked and he will enter of a morning in the book designated "the Chief and Deputy Chief Guards' Note Book," a certificate as follows —

9 30 p.m 1874.

I certify that all officers were present and correct, and lights out at 9,30 p.m (or otherwise as the case may be.)

DEPUTY CHIEF GUARD.

CENTRAL PRISON July 12th, 1874.

Order No. 1.—The attention of the officer is called to Paragraph 15 Rules and Regulations, which is as follows —"Lights are to be out," &c

a b c d e

The Deputy Chief Guard will see that this Order is not deviated from and that no admittances into the prison is permitted after the prescribed hour

CENTRAL PRISON Sept 26th, 1873.

Order No. 1 —The Chief Guard will deliver over to the charge of the Deputy Chief Guard every evening before he leaves the prison, the key of the north entrance gate.

CENTRAL PRISON, February 1st, 1874.

Order No. 2.—All keys of the outer doors of the central building are to be delivered up to the Chief Guard at the evening counts.

CENTRAL PRISON June 4th, 1873.

Order No. 4.—(10) Visitors to the Central Prison must enter and depart through the south entrance of the centre building, and when passing through the prison will conduct themselves in a quiet and orderly manner; loud talking, laughing and personal allusions to prisoners, by pointing or otherwise, are strictly prohibited.

CENTRAL PRISON June 24th, 1873.

Order No. 1.—No person shall be admitted to the Central Prison other than employees and officials connected with the prison, without they produce a pass according to the prescribed form, which is signed by the Warden and must be countersigned by the Chief Guard or deputy

CENTRAL PRISON August 31st.

Order No. 1 —It having come to the knowledge of the Warden that persons have been improperly admitted into the Central Prison by prison employees, it is ordered as follows —

1st. No person will be admitted into the prison after 6, p.m. and not after 4, p.m. on Saturdays and no admittance on Sundays (Clergymen excepted).

3rd. No person whether a friend of a prison officer or not, will be admitted without a pass previously countersigned by the Ch of Guard or Deputy and these officers are strictly enjoined to use great discretion in allowing people to the prison works, indeed it is better to apply to the Warden, when applications are made to visit the prison works, as it is not at all desirable that these works should be open to visitors, except under special circumstances, and no employees of the prison will be permitted to obtain a pass for a friend to visit the prison yard or works, unless with the express permission of the Warden

4th. Admittance to the prison will take place during the specified hours, by the south entrance, centre building and through the east entrance gate. Persons having been found in the premises, admitted through any other medium, are to be arrested.

5th It is absolutely ordered, that the north entrance of centre building is to be used only for admission of stores for prison use.

Form of pass:

Good only when countersigned by the Chief Guard or Deputy, and good only from the gate to and from the place designated.

CENTRAL PRISON OF ONTARIO

Warden's Office ... 1874.

Pass ...

From Gate to ...

...

W. S. FRENCH

☞ The person holding this pass will be arrested and reported to the Warden's office if found in any other than the places designated in writing in this pass.

CENTRAL PRISON June 19th.

Page 8 Regulations.—16. Employees are strictly prohibited at all times from smoking inside the walls or cell houses.

CENTRAL PRISON, August 29th.

Order No. 4.—The employees of the prison are referred to the prison rules and regulations. Paragraph 15 page 8. The Chief Guard will see that this is read to them.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &c. ONTARIO
TORONTO February 19th, 1875.

SIR,—I have the honour to report for your information the escape of two prisoners named Lake and McKeown, transferred from Woodstock and Toronto Gaols to the Central Prison, under the following circumstances, viz :—

The prisoners having by some means, not through the bars of their cell door, as no ribbon a space of 2½ × 7½ inches, crawled through and reached the floor of the corridor from

the Sick and the galleries of the south wing, by means of a crank shaft. They then concealed themselves in the dining room, and taking advantage of the door being opened, to admit the yard night guard and engineer, and by being left open during the time he was examining the thermometers to ascertain the temperature of the building, the prisoners stepped into the yard, broke open the kitchen store, dressed themselves, gained the top of the wall by forcing one of the lower doors, and made good their escape. They have not since been heard of.

An investigation was made by me into the circumstances of the escape, and I found as follows:—

1st. That the escape was due to the gross neglect of duty and carelessness of Night-guard Powell who was dismissed, with forfeiture of all arrears of pay.

2nd. To the inadequate arrangements made by the Warden to ensure a proper observance of duty by the night guards, and to the loose manner in which that duty had hitherto been performed, a knowledge of which encouraged these prisoners in their attempt to escape.

3rd. To the fact that the entrances to the wall towers is from the inside of the yard, instead of being so reconnected by me on the outside of the wall. This is the second escape that has been facilitated by this means.

I at once gave directions to the Warden to take the most stringent measures to prevent a recurrence of this event; framing his orders so as to meet every detail of night guard duty, and improving such checks upon their vigilance by extra visits and otherwise that a rigid performance of duty should be imperative. The Warden now reports that such measures have been taken as to effectually prevent other escapes by the same means.

I have the honour to be, Sir
Your obedient servant,
J. W. LANGMORE,
Inspector

The Hon. A. McArthur
Provincial Secretary

WILLIAM HARDIE, Prison-yard Guard and Foreman, being sworn deposed as follows—My duty as to keep the rooms up at night and Prison-yard Guard. I go on duty at 7 p.m., and go off duty at 7 a.m. I visit the corridors at various times during the night in order to examine the steam-pipes and find out the state of the heating. I enter by the centre dining-room door leading out to the yard, then I open the wooden outside door and knock at the iron gate for the night-guard to admit me. entered four times last night,—at 9 p.m., 10.30 p.m. 1 a.m. and 4 a.m. I knocked three times, but at 4 a.m. found iron gate open. Have found it open several times before this. Guard Powell on duty last night, was on duty when I found the gate open, found it open when O'Brien was on duty don't remember any other guard's name who has been on duty when gate was left open never reported that I found the gate open before this. After entering at as usual the north and south corridors to examine the dumbwaiters saw and spoke to Guard Powell on each occasion of my entering. Powell followed me to the door on each occasion of my going out Powell knew about what time I would come, so that he expected me. Have sometimes knocked at the door and waited for a quarter of an hour and had to go away without being admitted I have told parties that I have been obliged to go away. Saw nothing unusual when I went out at 4 a.m. last night. Heard no noise in the yard could not say whether the gate was locked when I went in at 4 a.m. before Powell left it to follow me to north corridor

WILLIAM HARDIE,
Prison-yard Guard.

JOHN POWELL, Guard being sworn, deposed as follows.—Went on duty last night as night guard at 6 p.m. went off duty at 6.30 a.m. saw Chief Guard at 7 and 8 p.m.. Guard Hardie about 10 and 11.30 p.m. at 12.30 and 2 and 4 a.m. did not come in at 11.30 saw the Warden at 11.30 and spoke to him passed through guard room and saw guards on duty at 7.30 9, 9.30 p.m. saw the Deputy Chief at 9.30 passed through guard-room on my way to hospital went to hospital through south corridor stone steps at 1.30 and 4.40 a.m saw no guards on these occasions went nowhere else than from one corri-

door to the other through dining room, except on those occasions, have key to main wicket gates, hospital, key of latter gate from dining hall to yard, the main cell key and key of sleeping-room. When on duty at night guard always keep these keys in my pocket; Yard-guard Hardie did not knock when he wanted to come in at 4, a.m.; had opened it for him, and stood waiting for him at the door of the north corridor; left key in the door and did not go back to lock it. April Hardie went away about five minutes; went with Hardie into corridors at 2, a.m., and 4, a.m.; sometimes hung key of gates on the ledge over dining room door; frequently leave it there; sometimes carry it, with wicket key in my hand; means that I cannot a usual key in my pocket; door was left unlocked when I went round with Hardie at 2 a.m.; door was not locked when Hardie was in at supper at 12.30, a.m.; stayed with Hardie at that time, about ten gate; did not follow Hardie into cocridors at other times, when he came in, stood at the door till he came out; door was unlocked; spoke to one prisoner in his cell, No. 14 gallery north wing, at about 8 p.m.; he was making a noise laughing; heard no other unusual noise during night; went to top gallery south wing at 7.30, heard talking there; visited top gallery, both sides, about 4, a.m.; did not visit galleries 7 and 8; visited 6 and 9 once, about 11; visited 3 and 4 once 10.15, p.m., and once, a little earlier he usually passed round 1 and 2; visited 5 and 10 frequently; visited 11 and 12 about 6.45, p.m.; a pair of 14 about 9 or 10 p.m.; visited first cell only; did same thing in 13 and 12 galleries; did not visit these galleries again; did not visit 15 and 14 till between 3 and 4, a.m. and then only went to the end, except when I went to prisoners in 14 gallery early in the evening; visited 15 and 16 galleries three times since at 7.30, 8 and 1, a.m. and 15 gallery went only part of the way about 7.30. Did not visit 16 again through the night. When Guard Hardie went out at 4 a.m. I followed him to the gate and locked it then walked around north wing, south wing, and then up to the hospital. Visited dark cell before I went up to the hospital. I took key of gate in my hand when I went up to hospital kept key in my hand from that time till I was relieved. Put key on ledge over door from 4 till 10. It was there all the time until after 4, a.m., used wicket key at about 6.30 and came into the Warden's office, remained six or seven minutes, locked gate and took key with me, came into office to make out my report.

My instructions are that I am to visit the galleries frequently no time is mentioned. Guard Hardie has told me that he has knocked without being able to gain admittance. I told him I came as soon as I heard him. Did not see Prisoner McKeown last night, did not look into his cell knew him did not know him to be a dangerous prisoner. Saw him shaving reading one night, did not speak to him that I am aware of. Did not know Lake. Heard no noise from these galleries last night. Thought it unnecessary to visit galleries frequently as I heard no noise. My opinion is that the prisoners got out of the gates into yards, while unlocked at about 4, a.m., while I was in north corridor with Hardie. Prisoners might have concealed in dining room as it is dark. Heard the orders read with reference to escape of prisoners extraordinary vigilance enjoined. Watches has frequently called my attention to necessity for going round galleries, when visiting me at night. Understood from night guards who I relieved, that I should come into Warder's Office to make out reports.

JOHN POWELL,
Guard

Prisoner W. HOWARD, No. 335, cell next Lake's.—Heard no noise during night. Heard guard or thought it was guard pass once through night.

Prisoner J. TURNER, No. 306 gallery 16.—About 10 or 11 p.m. was lying in bed awake. Heard some one pass, said now two prisoners as they passed went very quietly. Stood at end of gallery some time. Could sneaks for two hours in order to tell the night guard. Did not see the night guard at all. Heard them climb down trunk bars at south end. Heard no other noise.

WILLIAM MAHEU, No. 290 Gallery 14, next to McKeown.—Heard whispering in gal lery 16 and night noise about twelve, p.m. Heard no other noise. Thought it was the guard.

WILLIAM THOMPSON No. 982, next to McKeown.—Heard noise like filing every night this week. Heard telegraphing with spoons on door at night.

Rules and Regulations for the government of the Central Prison of Ontario, Toronto.

DEPARTMENT OF
INSPECTION OF ASYLUMS PRISONS &c ONTARIO
TORONTO 9th April, 1875.

SIR,—I have the honour to transmit herewith, for the approval of His Honour the Lieutenant-Governor in Council, a copy of the Rules and Regulations framed by me in conformity with the provisions of 34th Victoria, cap. 12 section 7 defining the duties of the various officers and employés of the Central Prison and regulating the management, discipline, and routine of that institution all of which is respectfully submitted.

I have the honour to be, Sir
Your obedient servant,
J W LANGMUIR,
Inspector

The Hon. the Provincial Secretary
&c. &c. &c.

The annexed Rules and Regulations, for the Government of the Central Prison of Ontario, were approved by His Honour the Lieutenant-Governor in Council, on this 19th day of April, 1875.

J G SCOTT
Clerk Executive Council.

Executive Council Office,
Toronto 19th April, 1875

I.

1 The Officers and staff of the Central Prison shall be as follows :—
A Warden
An Accountant.
A Surgeon
A Storekeeper.
A Chief Guard.
A Deputy Chief Guard.
A Bailiff.
An Engineer
A Cook (and Baker)
And such guards as may from time to time be required

II.

WARDEN

2. The Warden is the responsible head of the prison, and superior in authority to every other officer It is his duty to see that the rules and regulations are strictly observed, and he is responsible for the proper administration of the affairs of the prison except in the financial department.

3. He shall, with his family be required to reside in the prison, but shall not use the prison labour (except for purposes specified by the Inspector) nor shall he use the services of any officer or servant of the prison for his private advantage He shall in virtue of his residence, be entitled to fuel, light, and water in addition to furnished apartments but shall receive no other perquisite whatever

4. The Warden is responsible for the discipline of the prison but shall not use the said prisoners he shall carry out all orders made, and instructions given by the Inspector of

Prisons; he shall examine and report from time to time such orders as may be necessary in furtherance of the prison rules and regulations, entering such orders in the "Warden's Order Book"; he shall interpret all rules and instructions in cases where a doubt arises, and his decision shall be binding on the other officers, and enforce them from responsibility: he shall see that all the officers under him are careful, vigilant and zealous in the performance of their duties; he shall report to the Inspector of Prisons any neglect, irregularity, carelessness, insubordination or disobedience of orders on the part of any officer of the prison, and shall see that any orders made by the Inspector for such misconduct under the provisions of 34 Vic., Cap. 19, sections 8 and 9, are strictly carried out; he shall see that justice and humanity characterize the conduct of all officers, that no unnecessary severity or harsh means are used towards any prisoner, that no profane or indecorous language is used by any officer or prisoner, and that the prison services generally is carried out with humanity and discretion.

5. In giving effect to the rules framed for the encouragement of good behaviour and industry, great responsibility is thrown upon the Warden, and every officer of the prison that, by giving to every prisoner the exact measure of justice to which his behaviour entitles him, the true intention of the rules may be carried out; and as the discipline of the prisoners depends upon the impartiality, intelligence and discrimination of the subordinates of the prison, it shall be the duty of the Warden by constant supervision and inspection to satisfy himself that the reports as to the conduct of prisoners are correct and reliable.

6. The Warden is responsible that the diet and meal regulations in respect to the dieting and clothing of the prisoners are strictly enforced, that the food is well cooked, and thoroughly and wholesomely served and punctually at the times appointed. He is to see that due economy is exercised in the preparation of the food and that any changes in the dietary recommended as necessary by the Surgeon are properly carried out. He shall be present at least once a day at the meals furnished to the prisoners, to see that all regulations are observed.

7. The Warden is responsible that any prisoner who is reported sick by the Surgeon shall be placed in the hospital and supplied with the diet ordered by the Surgeon. He shall visit the hospital at least once a day to see that the regulations and the orders recorded in the Surgeon's Minute Book are duly observed.

8. The Warden is responsible for the maintenance of cleanliness and order in every part of the building yards and grounds and shall see that the shops and grounds occupied by the several sections are at least once a week cleared of filth, dirt, cinders and refuse matter and that no lumber or material is piled on the grounds that will endanger the safe-keeping of prisoners; and shall see that the persons of the prisoners, their clothing, bedding and cells are clean and well kept. He shall see that the walls are whitewashed as often as needful, and that no cutting, writing or mark of any kind (except the necessary prison marks) is allowed to remain on the furniture or walls or on anything belonging to the prison.

9. The Warden is responsible that the prison is properly heated, ventilated and lighted. He shall see that thermometers are kept in the various positions known to be the warmest and the coldest portions of the corridors, which shall be visited at stated hours during the night, and a record kept of the temperature at such times.

10. The Warden is responsible for the security of the prison, and shall see that the following rules are observed:

(1.) That the locks are secure and in good order.

(2.) That the entrance doors of the prison shall never be left open, or a key left in any lock, and that the keys are in the custody of the person in charge at all times.

(3.) That before a guard enters a cell, while any prisoner is in the corridors, the door shall be shut and the keys shall be removed so that the door cannot be closed upon him.

(4.) The Warden, or an officer deputed by him shall once a day at least examine all cell doors, stair and passage doors, and carefully examine each window grating.

(5.) That all implements, or materials of work calculated to facilitate escape, shall be carefully collected and removed each night from cells and corridors and locked up in a secure place. No ladders shall be allowed to remain inside the prison proper but shall be kept in a securely locked store.

(6.) That all prisoners employed in domestic offices shall be closely watched, and

never left unwatched. No prisoner shall have access to the main door of the prison, or be allowed to communicate with prisoners in their cells.

(7.) That all prisoners, cells, furniture and bedding shall be carefully searched at irregular intervals for use that no improper articles are concealed.

11. The Warder in held responsible that each night, before the hour of morning, every part of the prison in which prisoners are confined shall be visited either by himself personally, or by the Chief Guard, and he shall cause the night guards to be visited on each night at irregular hours to make sure that they are on the alert.

12. The Warden is held responsible that all guards who are placed on duty for the night, shall be fit for duty in every respect, and shall so arrange the Roster for night duty that no excuse can be offered for absence there post.

13. The Warden is responsible that the working gangs are paraded at proper hours, and marched off to their various workrooms; that in the case of sickness or discharge of a prisoner, another shall be selected to fill his place, and that keep up the complement; that the shop guards, instructors, and workmen employed within the prison walls observe all the regulations of the prison; that the regular hours for work are not exceeded; that the gangs are mustered and counted at each meal and before locking up, so that each prisoner may be present when closing the prison for the night; that all workshops, stables, horses, engine rooms, store-rooms, sheds, water-closets and lumber yards shall be examined every night after lock up, to see that all is safe that the fastenings of all gates or doors leading to the outside shall be secure and locked, and that no person, other than the employees of the Prison, or on the premises that no material is placed at or near the walls to facilitate escape, on the roofs or outside that the yard night guard is vigilant and alert in the performance of his duty that the wall guards are at their posts before the prisoners are allowed to the yards in the morning and do not leave their posts until after locking up at night; that they are properly armed that their rifles are in good order and that they have a sufficient supply of ammunition and that every means are taken to ensure the security of the prisoners during working hours.

14. The Warden shall visit each workshop at least once every day during the time the prisoners are working and shall satisfy himself as to the behaviour of each prisoner his industry alacrity and zeal in the execution of his work. He shall observe the relations that exist between the prisoners and guards, instructors and workmen with a view to check undue familiarity or acrimony and shall see that no prisoner is worked beyond his capacity or strength and that no favouritism exists

15 He shall satisfy himself that no prisoner receives any gift reward or letters from any guard instructor or workmen and that no communication is carried on or allowed with parties outside the prison Should he discover such correspondence, he will at once suspend the offender and prevent further intercourse with the prisoner reporting the circumstances to the Inspector of Prisons

16 The Warden shall not absent himself from the prison for more than twelve hours, without giving notice to the Inspector of Prisons nor shall he absent himself from prison duty for more than forty-eight hours without leave of absence or in case of sickness, reporting himself sick to the Inspector of Prisons On all occasions of his absence he shall leave the next senior officer in charge who shall perform all his duties, and be subject to his responsibilities but it will be the duty of such officer to receive for the Warden's consideration all important matters that do not demand immediate settlement Should an extraordinary emergency arise, reference will at once be made to the Inspector of Prisons.

17 When any subordinate officer is found by the Warden to be unfit for his duties, or deficient in moral character, it shall be his duty to report the case to the Inspector of Prisons suspending him from all prison duty pending the Inspector's inquiry into into the case. The Warden will not however summarily dismiss any officer without such investigation When any officer is so suspended and from the date of such suspension no wages morning or in arrears will be paid to him as he is held liable to fine under the Inspector's authority

18 The Warden shall consider it his duty to make himself acquainted with the moral habits and conduct of every officer of the prison particularly whether when off duty he is a frequenter of taverns or houses of similar resort, or associates with idle or loose characters reporting the facts to the Inspector

19. The Warden shall use every means in his power to forward the reclamation of the

prisoners under his charge. He shall see that they attend Divine Service regularly, or such religious meetings as may be held for their benefit and instruction, and shall facilitate their communication with clergymen of their respective denominations for religious instruction. He shall see that the books of the library are regularly issued to those entitled to their use; and that morality and decorum characterize their behaviour.

20. When a prisoner is received into the prison, the Warder shall cause him to be bathed, his hair cut and beard, &c., shaved, and he will then be examined by the Surgeon, should he be suffering from any disease he shall be disposed of as the Surgeon shall request. He shall be clothed in prison dress, and the Warder or Chief Guard shall read over to him the rules of the prison. And if free from disease, he shall then be removed to a cell, and be placed in a working gang.

21. The Warder shall cause a complete inventory to be made of all property or clothing found on the person of a prisoner, in a book to be called "Prisoners' Effects Book," should any money be found, it will be handed to the Accountant to be deposited in the Post Office Savings Bank, in trust for the prisoner, and it shall be paid to him on his discharge, with any interest that may have accrued. Upon the serious illness of a prisoner, he shall notify a clergyman of the denomination to which the prisoner may belong, and shall consult the wishes of the prisoner as to any particular person he may desire to see. Upon the death of a prisoner he shall at once report to the Inspector of Prisons in writing, giving particulars as to cause, residence where from, duration of illness nature of disease etc. and when practicable, shall inform the nearest relations of the deceased and shall record the facts in his Journal. In case of the escape of a prisoner he shall instantly give information to the Inspector of Prisons, and to the Chief Constable of the City and neighbouring towns, giving a description of his person. Before any prisoner is discharged, he shall cause him to communicate with his relations or friends, stating on what day and at what time he will be released that they may have an opportunity of sending him money to procure a passage to his home. Passage money so supplied will be expended by the Warder who will cause a ticket to be purchased for the prisoner and have him placed on the train in order to ensure his departure. In the case of a prisoner having no means to enable his reaching home the Warder may recommend to the Inspector that a ticket shall be procured for him and, if granted, he shall be placed on the train by an officer of the prison.

22. The Warder shall cause to be kept the following books viz:—

(1.) The Prison Register containing the name and descriptive details relating to the prisoner, nature of offence term of sentence, &c. &c.
(2.) The Punishment Book, showing the nature of offence and extent of Punishment awarded.
(3.) The daily Journal of occurrences at the Prison, with any remarks he may think called for respecting them.
(4.) The Warden's Order Book, in which all orders issued from time to time must be entered.
(5.) The Reference Book, in which must be entered all minor cases submitted for decision to the Inspector of Prisons, with a margin for remarks.
(6.) The Inspector's Minute Book.
(7.) Prisoners Effects Book.
(8.) The Prisoners Labour Distribution Book.
(9.) Officers Memorandum Book.
(10.) Prisoners' Visiting Book.

23. The Warden shall make the following returns to the Inspector of Prisons, viz —

(1.) A weekly return showing the movements of prisoners in the prison for the preceding week, with distribution on back showing occupation at time of return.
(2.) A quarterly return of all punishments inflicted and for what offence.
(3.) A quarterly return of clothing, &c. issued to prisoners showing the condition of that which is in use.
(4.) A quarterly return showing the work performed in the prison workshops for the preceding three months with value of material &c. used, and value of stock manufactured.

(6.) An Annual Report for the year ending 30th September showing the operations of the prison for the year and containing the following tables.

Table showing movements of prisoners during the year
Remarks upon working of the prison
Distribution of prisoners on 30th September
Nationality and religion of prisoners.
Social condition and habits of prisoners.
Education of prisoners.
Ages of prisoners.
Terms of sentence.
Counties from whence committed.
Offences for which committed.
Occupation previous to committal.

IIX

Accountant

24. Subject to the control and authority of the Inspector the Accountant shall act as Financial Agent of the Prison and shall have general superintendence and charge of its financial affairs

25. He shall purchase and pay for all supplies and stores for every department of the prison when authorised by the Inspector to do so and no bills for the same, or for any services connected with the prison, shall be paid without his knowledge and without having been first submitted to and marked approved by the Warder

26. He shall keep the accounts of the prison, and prepare monthly statements of the receipts and expenditures thereof which shall be sent to the Inspector for audit, to be forwarded by him to the Treasurer of the Province for payment.

27. He shall make an exact copy in the day-book of every account paid by the prison and shall accurately analyse the same under proper heads of service, on the Journalising side he shall post such entries in the Prison Ledger every month immediately after the accounts have been paid and shall thus make out a statement of all expenditures *duplicate*, to be laid before the Inspector and the Warder showing the balance unexpended on the appropriation for the year a statement in order each heading.

28. He shall examine and check all invoices and with the Storekeeper shall check all goods by the invoice, and shall see that all quantities are entered in the stock book, and that the quantities of goods received agree with those charged on the invoice, and shall procure the signature of the Storekeeper to the invoice as "received and correct," before forwarding the same for payment.

29. He shall from time to time, check the "Stock Book" with the "Issue Book, and see that the quantities issued and returned agree with the quantities in the stock book and that these books are properly and neatly kept.

30. He shall be held responsible that the quantities of supplies in store are adequate for the requirements of the prison and shall from time to time, as requirements are made upon him by the Storekeeper marked "approved" by the Warden, make purchases of the same when authorised by the Inspector if such goods are not then in store.

31 Surplus for the prison shall wherever practicable, be obtained by contract, which will be entered into by the Inspector of Prisons. The Accountant shall take care to give timely notice of the termination of every contract, so that a new one may be entered into. It shall be the special duty of the Accountant to see that all contracts made for supplies are faithfully executed that the articles are strictly of the quality specified in the contracts and delivered at the time or times required. Especially with reference to articles of food he shall take care that if any part is unwholesome or not fully according to the specification of the contract, he shall cause it to be set aside taken away by the Contractor and if the Contractor does not immediately replace it according to contract, he shall obtain a quantity sufficient to replace it to be purchased forthwith in the market, the price of which shall be charged in the Accountant's books against the Contractor

32. If any doubts arise as to the fitness of any article of food, he shall together with the Warden and the Surgeon, decide whether the same shall be received or rejected

33. In order that a strict system of economy may be insisted, the Accountant is enjoined to make such inspection and inquiry into the expenditure under each head that he may be satisfied that the expenditure is legitimate, that the appropriation for each service is not exceeded, or that there has been no apparent want of economy in the use of that which has been consumed.

34. He shall receive from the Warden, weekly, the time books of the various shop guards which he shall see are properly certified in the manner prescribed in the contract leasing certain prison labour; and when examined and found to be correct, he shall charge in the books kept for that purpose, the amount of earned labour furnished to Contractors under the terms of their contract.

35. He shall also keep in a book provided for that purpose, a record of prisoners' labour expended upon any alterations, improvement, repair, or additions to any of the buildings, works, machinery, drains, yards, grounds, or property of the prison, or any prison labour expended on the farm or garden, and in the various branches of the domestic and disciplinary services of the prison, such statement of prisoners labour to be made up weekly and certified by the Warden, so that the precise value of prison labour may be ascertained and preserved.

36. He shall receive from the Warden from time to time, lists of prisoners, their ages, and previous occupations, in order to enable him to make tender of their labour to the Contractors. He will note in a book to be kept for that purpose, the numbers names, and dates of such tenders and he shall furnish to the contractors all accounts and statements called for by any existing contract.

37. He shall attend at his office regularly from 9 a.m. until 5 p.m. in summon from 10 a.m. until 4 p.m. in winter and at such other hours as may be necessary from time to time to leave no arrears of work.

38. He shall prepare and make out the following statements for the office of Inspector of Prisons:—

(1) Statement of expenditure (monthly) in duplicate, to accompany monthly accounts by the 18th of each month.

(2) Statement of revenue and expenditure (monthly) to accompany vouchers of receipt.

(3) Statement of labour account as furnished to Contractors (monthly)

(4) Statement of casual revenue (monthly), by the 18th of each month.

(5) Requisitions for supplies (quarterly) and stock list of articles in store, on the 1st January 1st April 1st July and 1st October in each year.

(6) Abstract from stock and issue book showing losses of clothing by wear and tear during half year

(7) Inventory of prison property (yearly) on the 1st January

39. He shall also prepare a statement of expenditures for the year ending 30th September together with

a. A statement of labour account furnished to Contractors for the year ending 30th September

b. A statement of casual revenue for the year ending 30th September These statements must be in the Inspector's Office by the 5th of October

40. He will also prepare similar statements for the year ending 31st December which must be in the Inspector's Office by the 20th December as no payments can be made from the Treasury Department after that date. On furnishing this statement he will close his books for the year

IV

Surgeon

41. The Surgeon shall visit the Prison at least once a day not later than 9 a.m., and oftener if required. He shall have the general charge of the health of the prisoners, and the officers and employees of the Prison resident upon the premises, and shall be responsible for the professional treatment of those who require such treatment.

42. He shall see every prisoner as soon after his admission as practicable, and he shall see that the weight of each prisoner is recorded on being received into the prison; shall carefully examine him as to the hardness or softness of his mandrel, the saliacy or stiffness of his limbs, and the general state of his health; the result being duly recorded. He shall note any evident peculiarities in the mental qualities of prisoners.

43. He shall visit sick prisoners as often as the different cases may require; and at least once in every month he shall go into every room and cell in the prison, and see every prisoner. He is responsible in the course of his visits or otherwise, for discovering whether there is any cause of sickness in operation, especially from the following viz.: want of cleanliness, either in the person of the prisoners, or in their clothing or bedding; insufficient supply of food or of water; unwholesome quality of food or of water; want of warmth, either from the coldness of the cell or from the insufficiency of the clothing or bedding; want of ventilation; dampness or malaria; imperfect drainage; insufficiency of exercise in the open air.

44. Whenever he discovers any cause of sickness, he must give immediate information of it to the Warden, and if the evil be not remedied immediately it shall be his duty to communicate the fact in writing to the Inspector of Prisons.

45. The Surgeon shall keep a book to be called the "Medical Register," also a book to be called the "Surgeon's Medicine Book," both of which shall be open to inspection by the Prison and Hospital. He shall enter in the Medical Register the nature of every case of illness which is sufficient to prevent a prisoner from working giving the date of commencement of such illness the name of the prisoner the ailment or disease, whether the prisoner was treated in the hospital or in cell. The result of such treatment and the number of days that the prisoner was incapacitated for labour while under his care also every death and the cause of the same. In his "Medicine Book" he shall record daily for the information of the Warden and the Hospital Guard, opposite the name of the prisoner requiring medical treatment, his orders for exempting such prisoner from labour giving the period of such exemption, his prescription for medicines and treatment in every case orders for extra diet, and the continuance of the same, and all directions and orders for the proper treatment and care of sick prisoners.

46. At his morning visit he shall first see the prisoners who report themselves sick, and he shall then decide whether they shall be returned to their work or shall be ordered to the Hospital or their cells for medical treatment reporting the names of the sick to the Warden In performing this duty he must bear in mind that with many prisoners every means will be resorted to, in order to shirk their work, and much depends upon the skill of the surgeon in detecting feigned sickness.

47. He shall visit daily those prisoners who are under confinement for prison offences and he shall be present on all occasions that it may necessary to inflict corporal punishment.

48. In attending the prison officers resident upon the premises, who may be incapacitated by illness from the performance of their duties, he shall report to the Warden the nature of their illness, and when they are able to return to their duties And when desired by the Warden, shall visit officers at their houses and report similarly upon their case. If prevented from attending to his duties through illness or other unavoidable causes, he shall submit for the approval of the Inspector the name of another medical practitioner who shall perform his duties during his absence.

49. He shall report to the Warden from time to time as may be required upon all matters pertaining to his duties and annually or oftener, if required, he shall report to the Inspector upon the health of the prisoners and the sanitary condition of the Prison with such recommendations as he may deem necessary for the preservation of health and improvement of the surroundings and he shall also give such statistical returns as are or may be required

50 A guard styled the "Hospital Guard" is detailed to assist the medical officer in the execution of his duties. His duties are at all times, to follow the directions of the medical officer, and obey his orders in the treatment of the sick.

V

STOREKEEPER.

51 The Storekeeper shall take charge of the stores and store-room of the Prison subject to the supervision of the Accountant, and he shall be held responsible for the condition of the goods committed to his care, and for the order and neatness of the store-rooms.

52. He shall see that every article of clothing and bedding, and all general stores that will admit of it, are properly marked with the prison stamp as soon as they are received into store, and before they are issued for service.

53. He shall keep the following books —A book to be called the "Stock Book," in which a separate account shall be opened for every article of food, clothing, bedding, furniture furnishings and property belonging to the Province for the use and purpose of the Central Prison, charging on the debit side of the account, in weight, quantity, or measure, every such article received into store for prison use, and crediting monthly all issues of the same for consumption and use a book to be known as the Issue Book, in which shall be entered daily the weight, quantity &c. of all stores or supplies issued for consumption or use, and which shall be made up monthly and entered on the credit side of the Stock Book.

54. A book to be called the Ration Book in which shall be entered weekly in detail the provisions and supplies used for rationing the prisoners, show ng the entire cost of the whole for the week, and the average daily and weekly cost per prisoner also giving the same information in respect to the guards mess (w) copies of these abstracts shall be prepared and handed to the Accountant at the end of each week one for transmission to the Inspector and the other for the Warden

55 The Storekeeper shall make requisitions upon the Accountant for all provisions, stores and supplies for the use of the prison and prisoners, such requisitions to be first submitted for signature, and marked as approved by the Warden.

56 The Storekeeper shall deliver such provisions, stores and supplies to such officers of the prison and at such times as the Warden shall designate, upon such officer presenting a requisition for the same, signed and marked approved by the Warden.

57 He shall assist the Accountant in keeping the books of the prison and in the preparation of the monthly accounts, and shall render such other assistance to the Accountant as the duties above detailed will allow He will also perform such other duties as may be assigned to him by the Inspector of Prisons, and shall remain in his office from 8 a.m until 6 p.m.

58. He will remain in the Bursar's office during office hours in the absence of the Bursar

VI.

CHIEF GUARD.

59 The Chief Guard shall reside upon the premises and under direction of the Warden take principal charge of the premises day and night, and shall see that all the discipline officers and employees faithfully perform the duties assigned to them by the rules and regulations and the Warden's order book.

60 He shall be present at the opening and closing at the prison keeping a record of the reception and discharge of prisoners, inspect the prison at closing and see that all is in good order.

61 He shall report to the Warden every morning the names of prisoners reporting themselves sick stating what is their complaint. He shall take the medical officer to see the sick or complaining in the cells or hospital.

62. He shall prepare requisitions upon the storekeeper for such articles of stores as may be wanted, confining the requisitions to that which is necessary and preventing all waste and extravagant expenditure, but such requisitions must be marked "approved" by the Warden before the stores can be drawn.

63. He shall every day cause to be examined the blankets, beds furniture, locks, doors, and cells generally and see that they are not injured nor that no attempt at escape has been

wards, and that no implements are concealed shall report the same to the Warder.

Whosoever he discovers anything wrong, he

64. He shall spend the whole day in general supervision of the disciplinary officers and employees, and shall direct them in their respective duties. He shall receive reports from such officers and employees of all cases of disobedience or violation of rules, and shall report the same to the Warden—attending before the Warden on his disposal of offending prisoners. In the absence of the Warden, the Chief Guard shall have the Warden's power and authority, so far as relates to discipline, &c., and shall be obeyed and respected accordingly.

65. He shall be minute in the inspection of the guards when coming on duty, especially the wall guards and their arms.

66. It shall be his duty generally to see that the whole establishment exhibits thorough neatness, good order, and cleanliness.

67. He shall at all times have a strict supervision over the internal affairs of the prison and especially of its police, and he shall be held responsible to the Warden that his orders are strictly obeyed, and to this end the Chief Guard must be present day and night; that he may be able during the evening and night to see that all is safe, and that the officers on duty are vigilant, and that the officers in the guard room are correct, and the guard room quiet, reporting anything otherwise to the Warden.

68. He shall constantly reside at the prison.

69. He shall visit the several working parties frequently, and see that the prisoners are kept steadily at their work. He shall frequently observe the behavior of the officers and prisoners, see that they strictly adhere to orders and shall immediately report to the Warden any neglect or misconduct that may come to his knowledge.

70. He shall see that all the officers are fully instructed in their particular duties.

71. He shall see that all prison keys are delivered up to him every evening, at the "the evening parade," and that they are securely disposed of for the night, under such regulations as may be established by the Warden.

72. He shall deliver to the cook daily a return of rations required the following day and compare them of the preceding day with the total number of prisoners. He shall notify the Storekeeper of any changes in the guards' mess and shall see that no other clothing is issued to a prisoner without the authority of the Warden

73. He shall keep a minutes book in which shall be entered his daily returns of duty and general occurrences.

74. He shall see that the books and registers in the Warden's office are properly kept.

75. It shall be his duty to set an example of sobriety vigilance and energy to the officers under him. The practice of frequenting public houses and groceries where spirits are sold and of drinking in them is so disreputable, and so calculated to lower the efficiency and responsibility of the officers of the Central Prison that the Chief Guard shall bring under the notice of the Warden any officer who entertains the habit, as he cannot be permitted to remain upon the prison staff

76. He shall also consider it a main part of his duty to exercise a sound moral influence over both the officers and prisoners placed under his supervision

77. He shall frequently visit the prisoners in their cells. He shall constrain, by his authority every tendency to oppression or undue harshness on the part of officers, and likewise every tendency to laxity rudeness and insubordination on the part of prisoners, and shall discourage by his own example, and by the unobtrusiveness of a high moral standard every disposition to deceit and falsehood, and repress upon the prisoners a sense of their responsibility and the benefits arising from a conscientious discharge of their duties.

78. He shall retain in his possession all keys of the greater doors leading into the north side centre building also the key of the grated door between the prison proper and the meat departments, and shall attend and open the same whenever required for the admission of stores, meat, and discharge of refuse, &c., looking the same after reception or discharge thereof.

79. The Chief Guard shall fill up every morning, in the book designated Prison daily labour distribution book" the distribution of labour for the day specifying under the heads of their several employments the nature of the work they are employed upon and submit the same for the inspection of the Warden.

VII

Deputy Chief Guard.

80. He shall reside in the prison. He shall assist the Chief Guard in the general superintendence of the officers and prisoners, &c. in the execution of his duties.

81. He shall be constantly patrolling and visiting the working parties, reporting to the Chief Guard any infraction of discipline neglect or dereliction of duty that may come under his notice.

82. He shall whenever required, take the place of any Shop Guard who may be absent.

83. He shall see that all prisoners on arrival are thoroughly cleansed, their beard removed, and their hair cut close, and that they are supplied with a suit of prison uniform.

84. He shall also personally supervise the bathing of prisoners at the stated periods.

85. He shall promptly report to the Chief Guard any indications of disease that he may discover and shall see that the plain clothes taken from prisoners on their arrival are properly cleaned repaired if necessary, and then securely tied up in a bundle, marked, and put away in the "clothes store room" for safe keeping, to be restored to them when discharged.

86. He shall personally superintend the change of dress by prisoners to be discharged this change is invariably to take place in the Drying Room and the deputy shall see that every article of prison clothing is taken and duly veered over to the Storekeeper

87. He shall lose no time in communicating to the Chief Guard for the information of the Warden every circumstance which may come to his knowledge affecting the safety and health of the prisoners, and the efficiency of the officers, or in any other way requiring the Warden's attention.

88. He shall pay particular attention to prisoners confined in the dark cells for punishment.

89. If under any circumstances, the Warden and Chief Guard are both absent the charge of the prison shall devolve upon the Deputy Chief Guard.

90. The rule of conduct to be observed, and example to be set by the Chief Guard apply also to the Deputy Chief Guard.

VIII

Bailiff

91. The Prison Bailiff shall be attached to the Central Prison for purposes of pay but shall be considered as an Officer of the Department of Inspection. He will however be amenable to all general rules for the guidance of officials of the prison while within its walls, and when not otherwise employed shall do such duties as may be assigned to him by the Inspector of Prisons, in connection with the service of the Central Prison.

92. He shall be responsible for the safe conveyance and transfer of all prisoners from Cloonsun Goals to the Central Prison and shall make such reports and prepare such transfer papers as may be necessary for the purposes of the prison

93. He shall account for the expenditure of all moneys entrusted to his charge and shall render monthly statement of expenses incurred in the transfer of prisoners.

94. He shall be responsible for the conveyance of all money and valuables found on the persons of prisoners when committed to gaol, until he can hand them over to the Warden of the Prison and receive his receipt therefor

95. He shall perform such other duties as may be assigned to him by the Inspector of Prisons, under the provisions of Sec. 1 Chp 24 35th Victoria.

IX

Engineer.

96 The Engineer shall have general charge of all fittings and matters connected with the supply of water gas steam, &c. and of the repair of locks, bolts &c. He shall also be responsible for the serviceable state of the fire hose and hydrants engines, boilers &c.

97 He shall keep accounts of all consumption of coal, wood gas, &c. connected with his department, and use every exertion to promote economy in these particulars

98. He shall make such daily or other reports, and keep such records connected with his department as shall be required by the Inspector of Prisons. He shall attend to the steam boilers, engines, fires, &c., during his period of duty and see that the machinery is kept clean and in good order

99. He shall attend with the other guards, every evening at the evening roll, accounting for the safety of the prisoners under his charge. He shall not leave the premises until the withdrawal of the Wall Guards upon the evening count being found correct and on his being relieved by the Prison Yard Night Guard and Engineer.

100. He shall not absent himself from the Prison during his hours of duty without leave from the Warden

X.

Cook and Baker.

101 The Cook and Baker shall superintend the cooking and baking for the whole prison, including the prisoners' and guards' mess, and shall be held responsible for the proper cooking of the food, and for the cleanliness of the kitchen and bakery, the coppers and all utensils in use in his department.

102. He shall board and lodge upon the prison premises, and not absent himself therefrom without permission of the Warder

103 He shall make requisition upon the Storekeeper which are to be signed by the Chief Guard and countersigned by the Warden, and delivered by the Chief Guard to the Storekeeper for the supply of rations for the use of the prisoners and the guards mess. A certain hour each day shall be set apart by the Warder for the delivery and reception of stores to and from the storekeeper's department for the kitchen and other parts of the Prison proper after which the communication between those departments shall be closed, except for special requirements.

104. He shall every morning receive from the Chief Guard a list of the number of prisoners to be dieted and shall keep such an account of the number of prisoners, and the quantity of food received into the kitchen as may be required of him by the Warden.

105. He shall be exact in measuring or weighing the provisions to be served out to the prisoners and guards' mess at each meal and it shall be his duty to see that due economy is observed in the management thereof and that no waste takes place in his department, and to report to the Chief Guard for the information of the Warder any defects he may observe in the quality of the articles of food supplied.

106. He is strictly forbidden to employ any prisoner in the kitchen unless authorized by the Warden. He shall be responsible for the good conduct and obedience to prison rules and discipline of all prisoners employed under his charge and he shall immediately report to the Chief Guard any infringement of the prison rules and regulations, on the part of the prisoners detailed as his staff, such as unnecessary talking, wrangling or chaffing, and it will be the duty of the Chief Guard and Deputy Chief Guard to visit the kitchen and adjoining apartments frequently during their hour of duty to see that the rules are enforced.

107 The Cook shall conform to the rules and regulations of the prison, and such orders and regulations as shall be issued from time to time in the same manner as any other guard and account personally for the number of tins issued to the Chief Guard at the evening count.

108. He, together with the prisoners comprising his staff shall confine himself wholly to those departments which are placed under his supervision within the prison proper viz the kitchen and bakehouse.

109 All prison keys entrusted to his charge during the day shall be delivered up to the Chief Guard at the evening count.

110. The Chief Guard or the Deputy will always attend at any hour named by the Warden for the purpose of opening the gates or doors to which the Cook or his staff shall have access.

111. The Cook shall lock up and keep out of the prisoners reach food of any description, such as that which goes down to the kitchen from the Guards' mess, &c which they

might otherwise be tempted to take and he is on no account to give the prisoners any food beyond their proper allowance and quality

XI

Prison Yard Night Guard and Fireman

112. He shall mount duty at the evening "count," and shall patrol in and about such parts of the prison yard and buildings, and during such hours as the Warden may direct. He shall vigilantly watch the premises through the night He shall note down in The Night Patrol Report Book for the Warden's information, the precise nature of any irregular or extraordinary occurrence during the night.

113. In case of fire or other emergency, he will instantly summon assistance with the Night Corridor Guards, they in turn then arousing the guard room officers. He must attend to the engines, boilers and fires during the night time, keeping a record during the winter months of the register of heat, as shown by the thermometers in the corridors. He shall observe due economy in the consumption of fuel and gas.

XII.

Hospital Guard,

114. He shall reside upon the premises, and not leave them without the permission of the Warden.

115 He shall attend the sick under the direction of the Prison Surgeon, and shall assist in preparing and dispensing the medicines ordered by the medical officer and see that the medicines so ordered are taken by the patients at the proper time, and that the diet ordered by the surgeon is given and properly cooked in a book

116. He shall see the complaining sick every morning before the prisoners are sent to work, having them in readiness for the visit of the surgeon

117 He shall on no account suffer to a prisoner keys to be in the possession of any other person, or lay them carelessly about, or admit any stranger into the hospital without obtaining the Warden's authority

118. He shall keep the hospital books properly filled up according to order He shall be particular in calling the surgeon's attention to any case that may require instant attention.

119. All orders for the removal of prisoners from the cells to the hospital must be signed the Surgeon also those returning prisoners from the hospital, and these orders are to be registered in a book to be kept for that purpose, termed the "Hospital Guard Book"

120 He shall see that the prisoners in the hospital are clean in their persons, and wash themselves properly and that every prisoner has clean sheets at least once a fortnight, and that their linen and stockings are changed every Sunday morning.

121 He must be particular as to the number of articles sent from the hospital to the wash, and take an inventory of the same, and that there are no deficiencies on their return.

122. He shall be particular to enforcing cleanliness in any part of the hospital. He shall keep such light burning during the night as the Warden or Surgeon may direct

123. He shall keep a report book, in which he shall daily report to the Warden and Surgeon all occurrences of importance in the hospital, such as want of repairs, the misconduct of any prisoner any irregularity in the supply or quality of provisions, &c.

124 He shall be responsible for the safe custody of all provisions or medical comforts provided for the hospital and of all medicines, bedding necessaries, &c committed to his charge, keeping inventories of the same, and he shall render such account of them as may from time to time be required.

125 He shall not issue any drugs or other articles without written directions from the medical officer except in cases of emergency He shall not upon any pretence bring wine or spirits into the hospital for his own use or unauthorised books or papers.

126. He shall conform to all orders and regulations.

127 The Hospital Guard shall take charge of the library and issue the books for the prisoners use, under such orders and regulations as may be issued by the Warden.

128 In the event of his time not being fully occupied by the discharge of the duties hereinbefore stated he shall be liable to the performance of such duties as the Warden may order.

XIII.

Special Rules for Guards.

130 Guards will under no circumstance leave the prison without permission from the Warden or Chief Guard, but hold themselves in readiness for mess service, night and day.

131 The first and most important duty of a guard is, at all times, to maintain the safe custody of the prisoners, and should prisoners attempt to escape, the laws of the Province justify the shooting of such, or of any persons who may be assisting in such attempt if such action is found necessary in order to prevent the escape. Except in extreme cases, offenders should be distinctly warned of the consequences before shooting is resorted to.

132 Wall Guards are required to pass their beats while on duty with rifle in hand, only stopping for rest MIDWAY ON THEIR BEAT AND WITHOUT SITTING.

133 Guards while on duty are strictly prohibited from smoking and from reading books, papers letters or communications of any kind, and from conversing with any person, except on the matters of their duty as may require.

134 Guards must keep their arms and accoutrements clean and in perfect order constantly ready for use and neither cut, mark nor deface them in any manner WILFUL or careless loss, destruction, or damage to the arms will be charged to them, and they will be required to pay for the same

135 Guards or employees must never leave their posts on duty assigned them, until relieved by proper authority, and guards, when relieved will report at the guard-room and remain at readiness for duty at a moment's notice until permanently dismissed.

136. The guards will require on the part of the prisoners such strict compliance with such rules of the Prison as may come within the province of their special duties to enforce and report at the earliest practicable moment any infraction thereof.

137 The Chief Guard and Deputy Guard are held strictly accountable for the management of all ARMED GUARDS their arms, accoutrements, and everything pertaining to their several duties. A willing and cheerful obedience to them is expected in whatever they may direct.

138. It shall be the duty of the Night Guard in the corridors during the night, to keep patrolling round the block of cells, and upon the galleries, with worsted slippers on—noiselessly that he may be able to detect and suppress any unnecessary violation of the required silence, and is strictly enjoined upon him not to suffer the prisoners to speak except to make known to him their immediate wants.

139 Guards are to be at all times properly shaved and dressed, neat and clean in their persons, and properly equipped.

140. All duties are to be conducted in a quiet and determined manner and boisterous tones in talking, whistling or singing in the guard-room and other parts of the prison are strictly prohibited

141 Discussions or disputes of any nature, as to politics or anything else, within the prison precincts, are strictly prohibited and the Chief Guard and Deputy will report to the Warden any infringement of this order that may come under their recognition.

142. Guards are expected to be courteous and respectful towards each other never using improper language, and always cultivating a proper and respectable deportment, and they are to abstain from the expression of any political or religious opinion calculated to give offence.

143. Guards will be respectful to their masters, and courteous in their language to all officials, or managers, visiting the prison under the proper authority

144. Lights are to be out in the guard-room at 9.30 p.m. at which hour all officers and employees quartered in the prison are expected to be present, except any who may be specially permitted an extension of time for the evening.

148. Guards, when off duty, will not be permitted to wear their uniform, but will wear plain clothes.

146. The uniform clothing is to be kept in good repair as the Guards own expense, except when torn in the execution of duty. The uniform is not to be the property of the Guard at any time, but is merely for his official use whilst an officer of the Central Prison.

147. Guards are directed not to use as topics of conversation at any time and in any place, the incidents occurring in the performances of their several duties, in regard to the prisons or prisoners, or their own or others' sphere of duty in the prison.

148. Visitors to the Central Prison must enter and depart through the south entrance of the centre building, and when passing through the prison must conduct themselves in a quiet and orderly manner. Loud talking, laughing, and personal allusions to prisoners by pointing or otherwise, are strictly prohibited.

149. Two guards shall every night (at 7, p.m., in winter, and 8, p.m., in summer), visit all the workshops, engine rooms, and cellars upon the premises where fire has been used during the day and search thoroughly for any sign or indication of fire, and shall report to the Warden and Chief Guard the slightest trace of such fire that may there be discovered. These officers are not to handle, touch, or disturb any of the tools or machinery or other property of the contractors.

150. Guards are constantly to keep in mind that it is required of them to prevent any prisoner making his escape AT ALL HAZARDS.

151. All guards sent on escort duty shall wear their belts and pistols outside.

152. Guards taken ill shall immediately report themselves to the Chief Guard, who will send them to the Surgeon and ascertain the cause of their illness, and report such to the Warden.

153. On guards being taken ill off duty and unable to report themselves as usual for duty they shall desperately without delay a written report to that effect to the Chief Guard, the latter sending the report to the Medical Officer who shall attend the Guard's residence and report his case to the Warden.

154. The Corridor Night Guards shall be armed.

155. It shall be the duty of each Corridor Night Guard immediately on his coming on duty to carefully examine at the door of each cell and see that it is secure and not tampered with. The grated doors leading from the guard-room and dining-hall into the corridors, are to be closed and locked on the night guard's coming on duty.

156. The night guards are ordered to search and patrol every gallery as their respective corridors continuously. The patrolling of a gallery means not simply walking along it, but moving along noiselessly closely observing the cell doors as passing, stopping frequently and listening in the event of any noise, such as *filing bars* or other instruments of escape, as to escape betraying themselves. Upon inspection of the cell doors on a night guard coming on duty he shall see that a prisoner is in the cell *assuring himself that what he sees as a real living person.*

157. A book shall be kept in each corridor during the night-time to be designated The Night Patrol Report Book, in which the night guards shall register the incidents that occur during their period of night duty. The time they entered and the hour they are relieved, the hours that they are visited, and the degree of heat every two hours as registered by the thermometer. These books to be laid in the Warden's office for his inspection every morning by the Chief Guard.

158. The "call-take" clock is to be checked by the night guard every hour and every time the clock is checked, the guards shall proceed to the dining-hall grated gates, which face each other and wait until they see each other and signal all right or otherwise. In the event of a guard not appearing and signalling within ten minutes of the proper time, the guard working shall instantly repair to the guard room across the offices and procure the keys. Should the guard not answering to time be unable to account for his absence satisfactorily it shall constitute a breach of prison discipline, and shall be treated accordingly. And if a guard is disabled by an escaped prisoner the escape will, by the observance of this rule, be soon discovered.

159. All property in the possession of prisoners on their arrival at the Central Prison shall be registered in a book kept for that purpose at the time their description is registered, commencing with the prisoner's No. and name, then description of property, and lastly the

condition of their clothes, specifying whether in good condition or the contrary; this is to be signed by the prisoner, and witnessed by the Registering Prison Officer. Prisoners are on no account to be placed in cells without being examined and properly registered; their boots shall be invariably removed.

180. The wall guards are not to leave their posts from the hour of mounting, until the evening signal is sounded for their relief; their mid-day meals will be served to them in the towers, and extra vigilance is required of the wall guards during the prisoners' dinner hour. The wall guards are required to be vigilant and on the alert, and they are never to keep inside the towers unless forced in by stress of weather, when they must keep a sharp look-out through the windows of the towers. The wall guards are to be reminded that they hold the key to the safety of the officers and security of the prisoners; it is therefore essential that their attention should be concentrated upon the scenes of prisoners within their view, and especially those near the base of the walls.

181. The Guards and employees of the prison shall be particular in keeping their watches by the time of the guard-room clock, as the small entrance door shall be closed and locked at 10 p.m., *occurring to prison time*, and not opened for the admission of any official after that hour.

182. No person will be admitted into the prison after 6. p.m., and after 4. p.m. on Saturday, and no person shall have admittance on Sundays, Clergymen excepted, unless accompanied by the Inspector of Prisons, who shall have access at all times.

183. No person shall be admitted while at a pass, previously countersigned by the Chief Guard or Deputy Chief Guard.

184. The north entrance gates, centre building, are to be only used for admission of stores for prison use.

185. In the event of an officer being suspended or dismissed he shall not be permitted to enter the prison premises.

XIV

Rules for Shop Guards.

186. Shop Guards shall under no circumstances leave the prison without permission, but must hold themselves in readiness for active service both day and night.

187. Shop Guards are required to be promptly at the Call House at the appointed hour on the morning, to receive their respective gangs, and from that time until the prisoners are again locked in their cells they will be held strictly responsible for the conduct and safe custody of their entire gang.

188. The duties of the Guards should be understood as separate and distinct from those of Foremen for Contractors and the Guards will not interfere with or attempt to instruct the prisoners in the manner in which they shall work or on what particular part they shall labour or on what amount of work they shall perform, but they shall listen to all reports the foreman may desire to make, and dispose of the cases as they may have been instructed.

189. It is desirable that the Guards should understand that their success in controlling prisoners depends very much on their own deportment, and a sharp and close observation of all that occurs around them.

190. Shop Guards will require on the part of the prisoners a strict compliance with such rules of the Institution as may come within the province of their special duties to enforce, and report at the earliest practicable moment any infraction thereof.

191. All Guards while on duty are strictly prohibited from smoking, and from reading books, papers, letters, or communications of any kind and from conversing with any person except on the matters of their duties may require.

192. Shop Guards in charge of sections at work, shall not allow their prisoners to make any enquiries relative to any subject not immediately connected with their duty employment or waste or to speak or hold any conversation with each other or to leave their work without permission or to speak to or pass at visitors, but shall see that they are continually employed, and that they labour diligently in order and in silence.

XV

Prison Gate Guard.

173. The Gate Guard shall allow no team or person unaccompanied by the Inspector of Prisons, the Warden or Chief Guard, to pass in or out of the prison yard, except such persons whose names shall be placed from time to time upon a list signed by the Warden, and in possession of the Prison Gate Guard, and persons being at such times engaged in the performance of their duties as officers or employees in connection with the prison works except any person being in possession of a pass in writing signed by the Inspector of Prisons, the Warden or Chief Guard and he will take up all passes as the holder leaves the yard and return them daily to the Ward'en's office. He will examine all teams passing in and out, and see that nothing is concealed.

174 He shall have charge of the keys of the gate and shall unlock it in the morning for the admission of the officers and employees and such persons who are authorised to enter and lock them for the night at such hour as the Warden shall from time to time direct. He shall not leave his post from the time he mounts duty to the hour of relief

175 The Gate Guard shall not allow any officer or employee attached to the prison to pass through the gate during the hours of duty without the authority of the Warden

176. The Gate Guard shall keep a list of all employees residing in the prison who shall go out on leave, in order to know if they enter at the proper time

177 In case of doubt as to an order for admission into the prison being genuine or properly obtained, the Gate Guard shall apply to the Warden or Chief Guard, before allowing admission. He shall be watchful to prevent escape and he shall be watchful to observe closely the appearance of workmen, carters &c. passing out through the gate, in order that he may detect any attempt on the part of a prisoner to escape in disguise

178. The Gate Guard shall only admit to the prison yard, vehicles which have loads for the use of the Works or Prison sales, carriages, &c. issue reason outside.

179 The Gate Guard shall be armed, and his hours of duty shall be the same as those of the Wall Guards.

XVI

General Rules for the Government of Gaolers and other Employees

180. All persons entering upon, or retaining any position as an employee of this prison must do so with the full understanding that they are to lend a prompt, willing and positive obedience to the rules of the prison and the instructions of the officers, and devote their best energies and abilities industriously and faithfully to the performance of the duties to which they may be assigned and all who cannot do so cheerfully must neither accept nor expect to retain any position here.

181 Any employee desiring to leave the service of the prison will be required to give thirty days notice of his intention to do so, otherwise all pay due will be forfeited

182 All employees who are subordinate to the Chief Guard will be required to report to him, and he shall keep their time and mark in the time book of the Assessment.

183. No employee will be allowed to absent himself from duty under any circumstance, without permission from the Warden or Chief Guard.

184 Employees are strictly prohibited from taking newspapers, books, or other reading matter inside the walls or cell houses, AND ARE ABSOLUTELY PROHIBITED FROM LEAVING ANY SUITABLE CLOTHING INSIDE OF THE YARD OR CELL-HOUSES.

185 Employees are strictly prohibited from talking with prisoners at any time, except as to the nature of their business may require, and all familiarity between employees and prisoners is absolutely prohibited.

186 Employees are prohibited from selling to, or buying anything from, a prisoner or giving to or receiving from them anything in the nature of a gift or present, or convey or to or from them any message either written or verbal Any assistance or other religious instruction or Sunday School teachers, permitted to attend the prison, shall not receive from or confer any present upon the prisoners, or become the medium of communication between them and their friends or others, and they shall conform to the rules and regulations adopted

for the government of the prison any infringement or departure from which rule shall debar them from future intercourse with the prisoners.

187 Employees will be required to pay for the wilful or careless destruction, loss, waste, or damage by them of any property of the prison.

188. Employees are prohibited from using profane, indecent, abusive or insulting language towards prisoners, and it is especially desirable that they should refrain at all times from the use of such language in or about the prison.

189 All employees are prohibited from discussing within the limits of the prison, the manner in which any officer or employee performs his duty and from making any remarks which might tend to reflect upon the character or competence of such officer or employee They are also prohibited from discussing in the presence of prisoners, matters relating to the discipline or management of this or other similar Institutions.

190. Intemperance will not be tolerated among employees, and no will they be allowed, to keep or use intoxicating drinks in or about the prison. Intoxication will insure dismissal and will never be overlooked

191 Employees will refrain from visiting the shops or yard while off duty and from receiving visits from friends while on duty

192 Employees are prohibited from applying in idle terms to what they may conceive to be ungraded or insulting language on the part of a prisoner Their duty is to report such infraction of discipline

193. Employees are prohibited from passing in and out of the gates except when official duties render it necessary for them to do so

194 Employees are strictly prohibited at all times from making inside the walls or cell Limes.

195 No officer or employee shall directly or indirectly have any interest in any contract or agreement with reference to any rap due to the prison nor shall he receive directly or indirectly under any pretence whatsoever any fee or gratuity or present from any contractor or person tendering for supplies, nor from any prisoner or prisoners friend nor from any person visiting the prison

196 All wrangling and disputes upon points of duty between the officers of the prison are strictly prohibited, questions of this kind must be referred to the Warden and all complaints tendered in writing to him, such complaint must be rendered within twelve hours of the occurrence complained of or it will not be received and it is should be found that the complaint is frivilous or vexatious, or arises from a spirit of malice or revenge, the complainant will render himself liable to dismissal. Officers and employees having any grievance connected with their duties must state the same in writing for the Warden's consideration.

197. Every officer or employee who shall knowingly bring in or carry out, or endeavour to bring in or carry out, or knowingly allow to be brought in or carried out, to or from any prisoner any money, clothing provisions, tobacco, letters, papers, or other articles whatsoever, shall in no case dismissed and criminally prosecuted.

198 Any officer or employee who has been found guilty of an act of negligence, carelessness or rascherlisation, will be reported to the Inspector of Prisons, who has authority to impose a money fine, proportionate to the gravity of the offence, upon such officer or employee.

199 Any employee of the prison obtaining leave of absence shall leave the prison premises at the announcement of his leave, and not return until the expiration of his leave or until he return before, he shall be remedered on duty from the time to returns.

200 All prisoners on their arrival at the Central Prison shall be handed over to the Receiving Officer detailed for that duty and by him marshal to the "Drying Room" They will then be stripped and washed during which process all bodily marks are to be recorded, the whole of the clothing worn by them removed, and a prison suit furnished them, and care is to be taken that no opportunity is afforded to the prisoner to convey any article into h n cell. Trinkets or money taken from the prisoner are to be handed over to the Chief Guard who shall register the same in the "Prisoner's Property Book" the record to be read over to the prisoner who shall assent to the same, and his signature is to be witnessed to by the Receiving Officer, a register of his clothing shall also be entered specifying whether it is in good condition or otherwise. After washing, the prisoner shall be examined by the Prison Surgeon. Any prisoner being found medically unfit for the prison labour is to be immediately re-

posted in writing, by the Prison Surgeon to the Warden in order that the information may be forwarded by him to the Inspector of Prisons. The prisoner's hair is to be cut short and his face shaved. Previous to his being marched to his cell the prisoner's description is to be taken and registered in the "Entrance Examination Book."

All property taken from any prisoner shall be made up in parcels and docketed with the name of the prisoner to whom the property belongs. After prisoners are received at the prison, the rules relating to the conduct of prisoners their treatment and that which affects the prisoner as to his present and future conduct, shall be read over to him by the Chief Guard

201 The Guard Room is for the orders as one of the discipline officers of the prison. It consists of an associated dormitory for the Guards, the Chief Guard's Room the Deputy Chief Guard's and the Guard's Mess Room. Silence and decorum shall be preserved in the Guard Room Conversing in a loud tone of voice is strictly forbidden.

XVII

Exercise or Duty

202 All Guards will parade and report themselves daily for duty to the Chief Guard at a quarter to six o'clock in the morning.

203. At a signal from the Chief Guard the Shop Guards will take their keys and pre ceed to their respective galleries and unlock the cells the other Guards taking up each post down in the corridors as the Chief Guard may direct, where, by their presence and watchful ness, they shall endeavour to prevent any communication between the prisoners, and other improper conduct on their part

204. At the next signal the prisoners shall all step out of their cells and move off in file down stairs to the ground floor where they will form up in each one of galleries. On their return to their cells, each prisoner will take up his breakfast ration and proceed to his cell and stand with his left hand on the gate till the first gong is sounded he will then step inside closing the door up *to the lock*, but not fastening it on the second gong signal all doors shall be pulled *home*, and the oath immediately put on the Balcony Guards remaining at their posts until this is done. The guards will then form in line, and report to the Chief Guard then respective galler es are correct or otherwise.

205 If the number is correct, upon a signal from the Chief Guard the guards will break off and go to their breakfast, with the exception of one, who will remain to patrol the corridors.

206 At 8.45 a.m. each working day the guards will again assemble and on a signal from the Chief Guard will unlock their cells as before form their prisoners in line and march them with them right hand to the bucket stand, returning to the parade ground opposite the dining hall door where they will form up in column of galleries, ready to be formed into working parties, under the personal supervision of the Chief Guard.

207 Prisoners shall continue at their work until the words seconds at 12 o'clock noon, when the gangs will be formed in close file outside, and well clear of their shops, in the order in which they are arranged in their cells, and be marched into the dining hall each guard giving his "count" in writing to the Chief Guard as they are marched in The prisoners will remain standing until the gong sounds when they will take their seats and proceed with their dinner Half the guards will then proceed to dinner for which twenty minutes shall be allowed after which they shall relieve the other half At ten minutes to 1 o'clock, the prisoners will be moved out to their respective shops, each gang rising on a signal from its guard who will hold up his right hand and then march off his squad without word of command

208 At the 6 o'clock whistle to "cease work" the gangs will again form up in close file as at midday and be marched to the bucket stand, when each prisoner will take up his night bucket, and carry it on his left arm, using his right hand to take up his evening meal and proceed to his cell, place the bucket and supper inside, and stand facing his cell up to the morning the first and second sound of the gong being always the signal for the entering and closing the cell door He will then stand outside his cell with his right hand grasping the grated gate while the gates are being doubly locked and the "counts"

are being made. The guards in double locking, shall see that each prisoner "stands to his front," with the right hand grasping the seated door of his cell.

209. The wall and gate guards will remain at their posts till the second signal whistle is sounded: until this sounds, the security of all the prisoners is in abeyance and should the second whistle be delayed the wall guards will at once understand that there is a prisoner missing and be on the alert accordingly

210. Upon "Counts" being taken previous to marching in the gangs are to fall in outside, and wall about of their workshops, and the "Count" is to be taken from front to rear In marching off, the guard is place in a line with the rear file and whilst marching the prisoners' faces are to be turned, and heads inclined towards the flank that the guard is on

XVIII.

Rules for Contractors' Foremen

211 The chief duty of the Contractors' Foremen is to instruct and direct prisoners in that particular branch of the business to which they are assigned, and to do so in a mild, but firm and dignified manner

212. Foremen are not required for the purpose of governing or disciplining prisoners therefore it is not necessary that they should use force or threatening language in the discharge of their duties, and the use of such is strictly prohibited except, of course in case of self-defence in defence of others, or to preserve the peace of the person and maintain the safe custody of the prisoners.

213. When prisoners wilfully fail to carry out the instructions of a foreman, or use threatening defiant or impudent language, or commit any other act endangering the peace and good discipline of the last person it shall be the duty of the foreman to immediately report the same to the guard in charge.

214 All foremen must be promptly at their respective shops at least ten minutes before the hour fixed for prisoners to commence work, and will be required to remain there during working hours and make a thorough examination of their premises personally (after the prisoners have left) at noon and night.

215 All officers, foremen, instructors, or other employees of the Contractors who may under Regulations, be permitted to enter the Prison workshops or yard, must strictly conform to all rules and regulations laid down for the guidance of Guards or employees of the prison, and any infraction of such rules and regulations by the employees of Contractors will be promptly dealt with.

216. A copy of these rules is furnished each employee and they are to be enforced on all occasions.

XIX

Rules for Prisoners.

217 The following rules shall be observed by prisoners —

(1.) The first duty of the prisoner in strict obedience and it will be to his interest to obey all rules and regulations.

(2.) On entering the Prison strict silence must be observed No conversation between prisoners is allowed except by permission of the officer under whose charge they may be

(3.) The prisoner must not speak to any visitor, give to or receive from them anything, without the permission of the Warden or Chief Guard

(4.) Prisoners must not leave the cranks or their place of employment without permission. If sick or unable to work they must make it known to the officer in charge, and not be may direct.

(5.) Prisoners must approach an officer in a respectful manner—always touching his cap or forehead before speaking. He must be prompt in taking his place in line, march look-step with the right hand upon the shoulder of the man in advance, incline his face toward the officer and attend to and promptly obey his orders. Prisoners passing through the yard must walk in the never abreast.

(6.) On reaching the cells, prisoners will stand at call with their left hand on the door. At a given signal will step in, close the door up to the lock, keeping hold until the second signal is given, when they will close it altogether, remaining with their hand upon the door until the bar is closed and the report is made. In case of misconduct, he will resume his position at the door until the report is correct.

(7.) He must keep the cell and furniture clean and in good order. No marking or scratching the walls, nor spitting upon the floor, will be allowed. At the sounding of the 9 o'clock gong, P.M., all prisoners must put out their lights, undress and retire.

(8.) At the sounding of the morning gong, he must turn out, dress, make up his bed neatly, and be ready for marching out. At the signal, he must open the door, step out, and stand erect until ordered to march.

(9.) No prisoners will be allowed to move idly at visitors or strangers passing through the Prison; neither will they be allowed to make any alterations in their clothing or the furniture of their cells.

(10.) All prisoners are required to attend religious services on Sunday, unless sick or excused by the Warden or Chief Guard. In Chapel silence must be observed. No reading will be allowed, and strict attention must be given to the service. Shifting upon the floor, shuffling of the feet, or any unnecessary noise is strictly forbidden.

(11.) Insolence in any form will not be tolerated. No smoking by prisoners is allowed on the prison premises.

(12.) Prisoners will be required to bathe once a week in summer, and once in two weeks in winter unless excused by the Physician, Warden, or Chief Guard.

(13.) Every prisoner shall have permission to write to his friends once in four weeks. In case of necessity for special letters, permission must be obtained from the Warden or Chief Guard. All letters written or received must first be examined at the office, under the direction of the Warden before being sent or delivered. Visits from friends allowed once in eight weeks. The permission to write or to receive letters and visits from friends, or books from the library is dependent upon general good conduct, and obedience to rules.

(14.) The use of books and all reading matter may be suspended by the Warden for violation of rules.

(15.) Prisoners must apply by letter to their friends or relatives, for money to take their home, a meal in prior to the expiration of their sentence

(16.) Prisoners shall be required to labour all proably during those hours detailed for work and in marching to and from their cells they shall observe such order as may be directed by the Warden they shall be required to communicate with their Guards in a respectful manner and with the greatest brevity they must conduct themselves with perfect order and in strict obedience to the direction of their officer

(17.) Each prisoner shall have a Bible in his cell, a hymn book and may take such tracts and books as shall be approved of and furnished to him.

(18.) Punishment will be resorted to as rarely as necessary will admit the regulations of the prison are nevertheless to be observed and maintained inviolate and all infraction thereof or any resistance to the lawful commands and authority of the Guards, shall subject the offenders to military confinement, and to be placed in irons at the discretion of the Warden and the Warden is authorized to employ and permit the use of weapons by the Prison Guards, to put down mutiny then by force, and to prevent escape at all hazards from the prison

(19.) No visitor will be permitted inside the prison unless accompanied by a Prison Guard.

Office of the Inspector of Asylums, Prisons &c. Ontario.

Toronto 11th June, 1875.

Sir,—I have the honour to report for the information of His Honour the Lieutenant-Governor that a prisoner named Richard Clancy escaped from the Central Prison Toronto on the 14th May at 11 45 a.m. by placing a plank against the rear wall of the yard, by

which means he effected his escape. I have examined into the circumstances with this escape, and find, that if the instructions that I gave, that at all times when prisoners were in the yards, the wall guards must be on duty and keep sternly adhered to, the attempt to escape would in all probability never have been made. The escape, therefore, in my opinion was attributable to the fact, that the wall guards were allowed to go to dinner before the prisoners were "counted in" to dinner. The Warden has forwarded me a copy of an order issued immediately after the escape took place, which if attended to, should prevent escapes in the same manner.

On the first instant, two prisoners escaped by entering the tunnel drain; passing through the front grounds of the prison where a gang of prisoners were employed in improving and ornamenting the grounds. The gang was under the supervision of five guards at the time.

I consider that the guards were guilty of neglect in allow ng the escape to be successful, and the Warden should not have allowed prisoners who were sentenced to long periods, to have been taken into the front grounds. The names of the prisoners who thus effected their escape, were Robert Farrell, and Robert McCulloch: the former having an unexpired period of about four months to run and the latter having a period of about one year and a quarter to run.

I have instructed the Warden not to take prisoners to work outside the prison walls, who have more than three months of their sentence to fill, and only those, under the most rigid supervision

I have the honour to be, Sir
Your obedient servant,
J. W. LANGMUIR,
Inspector

To the Honourable
The Provincial Secretary

PROVINCIAL SECRETARY'S OFFICE, ONTARIO
TORONTO, 17th June, 1876.

SIR,—Referring to your letter of the 14th inst. with reference to certain escapes of prisoners from the Central Prison I am to direct you to institute an inquiry into all the particulars so as to ascertain to whose neglect any of such escapes is to be attributed. Your inquiry will be specific, in order that such guards or other officials to whom neglect is attributable, may fully understand the reason for whatever subsequent action the circumstances may call for

I have the honour to be, Sir
Your obedient servant,
I. B. ECKART,
Assistant Secretary.

Mr Inspector Langmuir
Toronto

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &c., ONTARIO
TORONTO, 30th June, 1876.

SIR,—In obedience with instructions contained in the communication of the Provincial Secretary of the 17th inst. I visited the Central Prison, yesterday for the purpose of making a more specific inquiry than that already instituted and reported upon into the escape of two prisoners from the Central Prison grounds, on the 31st ult. that the officers who were guilty of neglect or carelessness may be dealt with as the Government may direct. I

connected, at the same time, into the circumstances connected with the escape of three prisoners named Deacon, Wylie, and Cunningham, from the field attached to the prison for garden purposes, on the 31st inst., making five men since which have escaped from the prison grounds within three weeks, only one of whom, up to the present time has been recaptured.

The circumstances and facts connected with the escapes from the front grounds on the 31st ult., are as follows —About forty prisoners were selected to work on the front grounds in draining, levelling, and ornamenting. These prisoners were divided into three gangs under three regular, and two supernumerary guards, as follows —Guard William Gifford, had charge of 10 prisoners; Guard William Johns, assisted by supernumerary Guard Wall, had charge of 14 prisoners, and Guard Frederick Hill, assisted by supernumerary Guard Henry Langman, had charge of 20 prisoners. The prisoners were selected by Chief Guard Saunders, and the gangs and the guards were being *personally* supervised by Deputy Chief Guard Stedman. The duties of these guards appeared to be sufficiently well defined by the Warden, and understood by the guards, viz., that each guard was to be responsible for the safe custody of the squad under him, and in the event of any emergency all were conjointly to act for the safe keeping of all the prisoners. It appeared, however, that Deputy Stedman had other duties to perform besides supervising the work referred to and consequence was difficult way to attend to them.

The usual drain through which the prisoners escaped is of sufficient diameter to admit a man Commencing at the Grand Trunk Railway it runs into the prison grounds about 260 yards, with an opening at each end

The danger of this drain, as a means of escape, was fully known to the Warden and the guards and the work of putting a covered box drain, from the opening in the grounds to the point where it intersected with another drain was about to commence The prisoners comprising the gangs were all mustered at one o'clock, p.m., on each day out from dinner and formed correct. The gang in charge of Guard Gifford was placed at work north of the drain speaking, that in charge of Johns, north-east and that in charge of Hill south of the drain speaking, and in full view of it. At two o'clock the men in charge of the sawpiece on the Grand Trunk Railway gave the alarm that two prisoners had escaped through the drain; but though present was made by some of the guards, the escaped prisoners were never seen by them What time between ten and two o'clock the escaped prisoners entered the drain is unknown The escapes had I have arrived at, after a careful examination into all the circumstances, are —

1st That the Warden erred in judgement—

1. In send up too great a number of prisoners out into the grounds to work.

2. In not personally examining the rolls to see that no long-date prisoners were allowed to get into the out-door gangs instead of leaving such important work to the Chief Guard.

3. That he did not arrange to have the Chief or Deputy Chief Guard constantly present with such a large number of prisoners and guards

2nd. To neglect, on the part of the Warden in not having the mouth of the drain staked, or partially stopped up, when his attention was called to the danger connected with it.

3rd. To disobedience of orders on the part of supernumerary Guard Langman who left only for a short time between one and two without reporting or obtaining leave. This guard has since been dismissed for drunkenness.

4th. To neglect of duty on the part of Guard Frederick Hill in not keeping a proper watch over the prisoners committed to his care in not frequently counting them to assure himself of their presence in the gang particularly as he was aware that the drain might be used as a means of escape and in not noticing that the wheelbarrows which the escaped prisoners had been working with were lying idle.

I have to state, that for this neglect on the part of Guard Hill, I have caused him to be suspended from duty pending your decision upon the matter now reported upon.

Respecting the escape of the three prisoners from the field attached to the prison, on the 31st instant, I have to report as follows —The prisoners, Wylie, Deacon, and Cunningham

were part of a gang of nine prisoners, under the charge of Guard Mansell, who has made the following statement :—

I am the guard in charge of the garden gang, Central Prison. The gang consisted of nine men. About 2.20, p.m. on the 31st June, the three prisoners, Deacon Cunningham, and Wylie, were at the further end of the nine acre field engaged in planting potatoes, and I told them I should require them in about five minutes to go on with the rest, re watering newly planted cabbages. I collected the rest of the gang and sent them down to go on with watering the cabbage patch, *was nearly three hundred yards away from the three prisoners planting potatoes*. I followed the prisoners to the cabbages, and was engaged from five to ten minutes telling them in what way to water them. I then proceeded to bring in the other three at the potatoe patch when I observed they were not in the field. I immediately gave the alarm and after getting the remainder of my gang into the prison started in pursuit. Prisoner Deacon had been working under me in the field for two months, prisoner Cunningham has been with me more last summer and out with me when I was in charge of prisoners working outside; prisoner Wylie had been in the garden for a month. The working of a piece of ground of the dimensions of the prison field necessitates the scattering of prisoners, the different kinds of vegetation requiring each daily labour in their culture.

"WM. MANSELL,
"*Guard.*"

I am of the opinion that these three escapes were attributable,

1st. To a serious error in judgment on the part of the Warden in allowing nine prisoners to be taken out into the field to work in charge of only one guard, although armed with a pistol, for it is obvious that of sight of the nine prisoners had run away it would have been the guard's duty to remain in charge of the only remaining one until he was relieved or had brought him back to prison. There should have been at least two guards, one of whom should have been armed with a rifle.

2nd. To the placing of too much confidence in the prisoners in bad charge of by guard Mansell, as shown by his own statement, through which mistake he lost control over at least three of the prisoners committed to his care.

For this mistake on the part of Guard Mansell I have caused him to be suspended from duty until I can further instruct me. I have also instructed the Warden of the prison not to take any more prisoners out to work in the grounds beyond the prison walls, except in the garden, and then only prisoners selected personally by himself and under the charge of not less than two guards, one of whom shall be armed with a loaded rifle.

I have the honour to be,
Sir
Your obedient Servant,
J. W. LANGMUIR,
Inspector

The Hon. the Provincial Secretary
Toronto

PROVINCIAL SECRETARY'S OFFICE, ONTARIO.
Toronto, 7th July, 1879

SIR,—With further reference to the correspondence respecting the escape of two prisoners on the 31st of May last from the Central Prison I am now directed to say that, the matter having been referred to the Hon. the Treasurer the conclusions set forth in your Report of the 30th June, have been approved of by him. I am further to intimate that the neglect on the part of the guard, Frederick Hill, should be visited with a reduction of a

week's pay to serve as a caution against his being again found guilty of a similar neglect With respect to the escape of these prisoners on the 21st June last, the Treasurer coincides in the conclusion of your Report. The guard Mansell appears to have been sufficiently punished by his suspension from duty which he may now be ordered to resume, his pay for the period of his suspension having been forfeited You will be good enough to intimate officially the purport of the above to the Warden.

I have the honour to be,
sir,
Your obedient servant,
I. R. Eccles,
Assistant Secretary.

J. W. Langmuir,
Inspector, &c.
Toronto.

EXTRACTS

From the Report of the Inspector of Prisons for the year 1876, in relation to the foregoing matters.

"When it is considered that a very large proportion of these prisoners are habitual offenders of the petty order, who have for many years been oscillating between one Gaol and another in the Province, and not a few of whom have been committed to the Central Prison two or three times already, I cannot but think that the periods of sentence, as instanced in the above summary, are much too short for the accomplishment of the objects aimed at in the establishment of this Prison. There is a class of offenders the frequency of whose offences against law and order renders them pests to society, and whom, after their third commitment to a Gaol, it would be much better to send to the Central Prison for the full term that the law allows, than for two or three short periods every two years, as is the present condition of this class of prisoners—three months of whom are nearly spent in the first and last journey with which they return to their evil courses. We come fortified—point to the fact that protracted incarceration would involve little or no hardship to families dependent upon them for a living. On the contrary, but for this annihilation thereby caused in relatives, their enforced absence from the family relation would in many instances be a positive relief—not only to their friends but to the community.

"The fact that 441 of the 837 prisoners received during the past year were, from their own admissions of intemperate habits, affords additional evidence of the correctness of this conclusion.

"The mistaken leniency of awarding short periods of imprisonment to this class, is not only demonstrated by the very serious charge that these repeated trials cost the Province but also by the persistency with which they return to their evil courses. No sooner are the prolonged physical condition of these habitual offenders rehabilitated by the healthy regimen of a prison and the enforced suspension of alcoholic bait to, than they are set free only to return in a short time for a repetition of the same kind of treatment. Apart from the mistaken leniency of short sentences in such cases, both from a moral and social standpoint, it is not fair to the Province which, at a great cost, has established an industrial Prison that just as soon as this class of prisoners are restored to such a bodily condition as to perform hard labour in this prison their sentences expire and they are discharged. For this class of offenders, constituting about one-third of the commitments to the Central Prison it is most desirable that cumulative sentences be given, until they reach the period of two years.

"Although this Prison was largely designed for the class of prisoners I have been speaking of still, an examination of the table of offences will show that of the intermediate establishment had not been in existence the crimes of many of the prisoners who were committed to it were of sufficient enormity to have consigned them to the Penitentiary. It would appear that 33 were convicted of burglary robbery and kindred offences; 14 of assault with intent to rape 34 of aggravated assault 12 of cattle stealing 31 of forgery embezzlement, &c. while no less than 263 were convicted of larceny in various degrees. Many of these prisoners were hardened criminals who had exposed sentences, for previous crimes, in the Penitentiaries of Canada and the United States. These two classes of prisoners—the petty but chronic offender against law and order and the old habitué of many penitentiaries, are, of all others, the most difficult to deal with. In this connection I may now refer to the system of

Discipline

that prevails in the Central Prison. In recommending the establishment of the Prison I pointed out in my Annual Reports of that period the many serious defects and deformities of our Common Gaol system; chief among which was the indiscriminate association of old and young, hard and untried, innocent and guilty. Not only were these classes of prisoners under circumstances associated but they were so kept in utter idleness which, above all conditions, is the most fruitful source of vice and crime, and a solid non discipline and order were the rare exceptions, instead of being the rule in the government of these Gaols. It was to remedy these defects, and to supply the deficiencies in our Gaol system, that the Central Prison was

formed. And in the administration of its affairs, bearing in view the object, I have no hesitation in saying that it is better to err on the side of rigid discipline than in a laxity of it, and with respect to the two classes of prisoners referred to that have to be dealt with, it will be apparent to all, that, so far as those criminals are concerned, the strictest kind of disciplinary measures becomes necessary.

Admitting, as I do, that for the proper protection of society, the punishment of crime and the reformation of the criminal must be the ground-work of all effective systems of prison discipline, the very first step in the accomplishment of these objects is the entire subordination of the will of every prisoner to constituted authority. The lives of habitual offenders having been one continued revolt against law and order, with little or no subjugation of the will or exercise of moral restraint, the very first lesson that these must have to learn on entering the Prison is implicit submission. Failing that, the application of reformatory measures to those of this class who are not beyond such influences must prove abortive—whilst deprivation of liberty only, to those who are, is no punishment whatever, unless it be accompanied by severe prison disciplines and enforced hard labour.

The labour that has to be performed by the prisoners in the Central Prison is no harder than what honest mechanics or labourers outside of the Prison have to do, and the hours are the same as in ordinary shops and in labouring employments; the dietary being infinitely better than what a large majority of mechanics and labourers can supply themselves with by their honest exertions. Cleanliness, both in the persons of the prisoners and in every department of the Prison, together with the greatest promptness, punctuality and order in the performance of duty are strictly enforced.

The rules and regulations in respect to these matters, and for regulating the general conduct of the prisoners, constitute the discipline of the Prison and its enforcement neither involves harshness nor severity unless a prisoner renders that treatment necessary through disobedience or insubordination. The discipline of the Prison, however, must be maintained and the rules and regulations obeyed otherwise

Disciplinary Punishment

must be resorted to. The common mode of deprivation of a meal or certain privileges according to confinement in the dark cell on bread and water diet, and thirdly confinement in the dark cell in irons. The latter punishment is administered by causing the refractory prisoner to be handcuffed to a ring in the wall about even with his eyes, the ankles being fixed to secure the legs to another ring in the floor. Physical pain is, of course caused by the elevation of the hands and arms and the general fixity of the body which, however does not prevent the prisoner from shifting his position and resting the head and shoulders against the wall. When it was found necessary to administer this kind of punishment for the first time, the prisoner is given to understand that its duration after an hour or two, will depend upon himself. If he expresses contrition for the offence committed, he is at once taken out of irons. If a prisoner however has to be punished a third time more than once, he has to remain in irons for a fixed time, but if for a longer period than 24 hours he is taken down in the night and to his meals. This placing of a prisoner in irons is not resorted to except in cases of grave and tumultuous, or of continued disobedience of the rules.

And here I may refer to certain charges, or rather insinuations, that were made and which subsequently were formulated into charges against the Warden and the acting Chief Guard of the Prison, involving cruel treatment of the prisoners on the part of these officers. Although the examination into these charges of alleged cruelty took place at the close of the official year it is but proper that the matter should be alluded to in this report.

It would seem that every instance of what was looked upon as cruelty was carefully noted by persons who had been dismissed from the prison service, and by certain others who were disaffected towards the rule of one or both of the officers alluded to. The acts of alleged cruelty extended from the opening of the Prison in June, 1874, up to the time of the investigation but not in a single instance were they made known to me as Inspector either verbally or in writing, or on the evidence shown to the Warden. Whatever spirit may have animated the persons from whom the information was obtained and however incongruous its sources, it will under the circumstances, be readily understood that due precautions would be given to every case of the kind that might come under the notice of the Warden.

"The instances of all aged cruelty, as stated by all the witnesses in their evidence, numbered twenty-three, and a careful analysis of each case shows that they may be here divided into seven distinct categories, to each of which I will refer as briefly as possible.

"1st. In six instances, prisoners while at drill or in marching order, and in three cases while at work, were tapped on the feet, legs, hands or some other part of the body, with a cane used by the Acting Chief Guard, in order to get them to keep step or for other slight matters. The evidence, however, pointed to the fact that this tapping—for it was nothing more—was very frequent for the last year after the opening of the Prison, and that it was not confined to the Acting Chief Guard, but was done more or less by nearly all the Guards. The practice having been noticed by the Warden, an order was issued, prohibiting it, which, from the evidence, it would seem, had the desired effect.

"2nd. In six cases, prisoners attempted to escape from the Prison by severing themselves until the Guards should be withdrawn, which rendered it necessary to keep the Guards on duty and without sleep for sixty hours. When these prisoners were discovered, the Warden ordered that five of them should receive six stripes with a small cane, and the tenth a rope's ending. Three of these prisoners had been transferred from the Reformatory to the Central Prison, as being utterly incorrigible and beyond the reach of reformatory influences.

"3rd. In five instances, prisoners were reporting themselves sick, were ordered by the Acting Chief Guard to return to their work as he believed they were malingering—a practice which is of frequent occurrence, and that requires guarding against. In some of these cases the prisoners refused to go to work and were, in consequence placed in the dark cell, and upon being examined by the Cell Surgeon the decision of the Chief Guard, in every instance except one, was sustained by the Surgeon, who pronounced the prisoners to be well and fit for work. The exception was a case of temporary faintness.

"4th. One night, at the close of 1876 or the beginning of 1876 a prisoner named Lewis became so noisy that he disturbed the entire Tuesday, causing other prisoners to join in the noise. Upon reporting the case to the Warden, the Acting Chief Guard was instructed to place a wooden gag in the prisoner's mouth to keep him from shouting and to handcuff his hands behind his back to keep him from breaking up the furniture in his cell. On going into the cell to carry out this instruction, the Chief Guard alleges that the prisoner attacked him with a piece of iron broken from the bedstead, upon which he disarmed the prisoner and beat him several times across the shoulders and hips with a key he had on his hand ring without which the order of the Warden was carried out. The Tuesday who was present states that he did not see Lewis attack the Chief Guard. It is possible that the attack may have been made without the Tuesday seeing it, but in corroboration of the Chief Guard's statement it was clearly proven that the iron bedstead and all furniture were broken, and that the prisoner had broken off a large piece of the stone jamb of the cell door. It was stated by several witnesses that the prisoner had given evidence of insanity prior to the occurrence, and subsequent events proved that the surmise was correct but on the other hand, the Prison Surgeon did not certify to insanity for a considerable time after it took place. Under any circumstances, there is no proper place or means for the care of lunatics in the Prison. The alleged cruelty therefore, considering this fact, did not consist in the means taken to prevent the other prisoners from being disturbed, but in the charge, if true, that the prisoner was struck other than in self defence.

"5th. One prisoner was kept in irons for 72 hours without being taken down except to his meals and other purposes of necessity but it was clearly proven that he had been guilty of gross insubordination, threatening and violence on that as well as on many other occasions, and that he was a violent and dangerous man. From the statements of the Warden and Chief Guard it is just becomes a question whether the officers or the prisoner should be masters. From the date of that punishment, the prisoner became one of the best behaved men in the Prison

"6th. The Acting Chief Guard was said to have knocked a prisoner's head against the wall until the blood came from his ears. This the Acting Chief Guard denies, and the Surgeon states that it is impossible that this could have been done without causing a fracture, which neither the Surgeon nor anyone else saw.

"7th. Three prisoners were placed in irons for insubordination, and while in that position were exceedingly noisy and violent. Upon being visited by the Acting Chief Guard with a view to stopping the noise, and while the irons were being removed from

them in order to take them to another cell, it was clearly proven that two of them used the vilest language to the officer mentioned, and one of them kicked him. Under this provocation the Acting Chief Guard struck them with his clenched fist. All of these punishments were proven to be violent men, requiring frequent punishment.

In the foregoing categories are comprised all the acts of cruelty that were brought to light, after a most patient investigation extending over two weeks; during which time every officer of the Prison was placed under oath and examined.

To sum up in respect to these various charges, it would be absurd to designate what is referred to in the first and second categories as acts of cruelty, inasmuch as the same practices are being carried on every day in our Common Schools. They had, however, been stopped in the Central Prison a year prior to the investigation.

With respect to what is comprised in the third category, it is clear that as long as prisoners will feign sickness, prison officers will now and then make a mistake in their decisions in that relation. In order however that such mistakes of judgment may be restricted to the minimum, the Prison Surgeon has been directed to visit the Prison every morning at nine o'clock, so that every case of sickness reported may be promptness upon by the prison medical officer the Prison.

It is much to be regretted that such harsh measures as those adopted by the assistant Keeper, in order to prevent him from dressing up the dormitories at night and breaking the cell furniture the more so as subsequent events proved that the prisoner must have been insane at the time. A short time previous to the occurrence, a prisoner had been transferred from the Prison to Rockwood Asylum under certificate of insanity but after a very short observance on the part of the Medical Superintendent of that Asylum, he certified that the man was not and never had been insane, although afflicted with an ungovernable temper. I have recommended that some better provision be made for the custody of violent and refractory prisoners, and it is most desirable that when the Hospital is erected a room should be provided for insane prisoners, pending their transfer to an asylum.

That part of the charge in respect to the Acting Chief Guard striking the prisoner Lewis, after there was self-defence, is refuted, as the statement shows, to a question of necessity between that officer and a witness.

The class of prisoners referred to as the fifth category are found in all prisons, and although few in number their stubborn and unyielding temper, and the pertinacity with which they sport is maintained, even when they clearly know that they are in the wrong constitute one of the most difficult problems that prison officers have to deal with. The punishment awarded in this particular case, severe as it had to be had the desired effect, although in many prisons some of this class are almost constantly under punishment.

It was in reality with the prisoners alluded to as the seventh category that the Acting Chief Guard committed serious indiscretions as a prison officer but which, in the light of the facts elicited, cannot possibly be characterized as acts of cruelty. Under no circumstances, except as a clear and well-defined case of self-defence, should a prison official strike a prisoner. That the prisoners were beyond endurance, only showed the necessity and importance of the Guard controlling his own temper and of using lawful means of punishment, which are always at his command.

Before closing my remarks in connection with this subject, I desire to say that I wish it were possible for the discipline of the Prison to be maintained without inflicting physical pain and that moral suasion and kindly admonishment alone could accomplish that object, but so far as I am ascertain, both agencies are necessary in all well regulated prisons. To well-behaved prisoners however, and they comprise the large majority there is no terror in the fact that dark cells and irons have to be resorted to, in order to keep the unruly and insubordinate under control.

"The severe check that the unfavorable operations of the Prison received through the failure of the Canada Car Company to carry out its original contract with the Government for the employment of the prisoners, has prevented me from inaugurating such a scheme of rewards and remissions of sentences as will tend to encourage and promote good conduct, and stimulate industrious habits on the part of the prisoners. Now however that the industrial success of the Prison bids fair to be permanently established I trust that I will be warranted in submitting a scheme for the approval of the Government at an early day."

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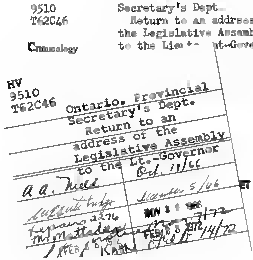

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RETURN

(Central Prison)

To an address of the Legislative Assembly to the Lieutenant-Governor, praying that he will cause to be laid before the House copies of the Report made by the Provincial Secretary and the Inspector of Prisons, regarding the internal management of the Central Prison, as the result of any investigation by them, together with a copy of the evidence taken upon the investigation.

By Command,

S C WOOD,
Secretary

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 16th, 1877.

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
TORONTO, 30th December, 1876

MEMORANDUM.

The undersigned having investigated the charges made against Chief Guard Beaumont by the Warden of the Central Prison finds that the suspension of the Chief Guard by the Warden, and his subsequent dismissal, were fully justified

S. C. WOOD,
Provincial Secretary

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 13th September, 1875

The Complaint against Chief Guard.

SIR,—I have the honour to transmit to you for your information a communication addressed to me by Prison Guard Patrick Wall preferring various charges against Chief Guard Beaumont, and to inform you that with reference to the first subject of complaint I disposed of it as follows:—That the Chief Guard was guilty of improper conduct, in obstructing the egress of Guard Wall from the prison on the Sunday in question, he (the Chief Guard) having no power to do so, the guard not being on actual duty at the time. That the proper action of the Chief Guard should have been to have given Guard Wall his orders, and if they were not complied with, to have charged the guard before the Warden with "disobedience of orders."

With reference to the other charges preferred by Guard Wall, I declined to receive and entertain them, as the charges were not made within twenty-four hours of the occurrences complained of. I have further to add that prior to my taking up the matter, the Chief Guard stated to me that Guard Wall *had expressed a desire to withdraw the complaint*, this of course I paid no attention to.

I have the honour to be,
Sir, your obedient servant,
W. S. PRINCE,
Warden.

To the Inspector of Prisons.

P. S.—Since writing the above, it has been reported to me that the Chief Guard sent for Guard Wall and asked him to withdraw the communication made to the Warden, as it would ruin him in Toronto. Upon receiving this report I questioned Guard Wall as to whether it was correct or not. The guard to reply states to me that he was sent for to the office by the Chief Guard, and solicited by him to withdraw the letter as the result would ruin him in Toronto. These proceedings on the part of a Chief Executive Officer of a prison and his subordinates, I think perfectly disgraceful and certainly tend to corroborate the assertion of Guard Wall. "That the Chief Guard's control over the guards is merely a nominal one," and that it cannot be expected that such a man can execute the authority of a Chief Guard.

W. S. PRINCE,
Warden.

CENTRAL PRISON,
Monday, 8th Sept. 1875

To the Warden,

SIR,—I wish to bring to your notice the extraordinary conduct of Chief Guard Beaumont, on Sunday last in detaining me as prisoner, and prohibiting me from exercising the right to free egress from the building (when not on duty), which I consider myself entitled to both as guard and a freeman. I can see no par in our Regulations authorizing such conduct, and even if such authority existed I should imagine that while you were on the premises the proper course to adopt would be to first acquaint you, and then to act according to your instructions.

I also beg to inform you that the above conduct though strange, does not surprise me, as I had been for a considerable time expecting him to do something wonderful as to my knowledge and to the knowledge of every guard in the Prison (which can be testified upon oath) he is in a habitual state of drunkenness more or less; his control over the Guards at the present moment is merely a nominal one, if one of the guards be detailed for duty on Sunday, and he does not like to do it, he goes to the Chief and says it is not my turn for duty; the detail is changed and another man put on. One instance—on Sunday last Guard Gifford was detailed and subsequently Newton in his place, he does not report these things or in fact anything as far as I can see for he is in the power of every man in the institution, consequently, it cannot be expected that such a man can exercise the authority of Chief Guard.

But when the Deputy Chief Guard warns a guard for duty, he knows he must do it, neither are there any practical jokes carried on, the reason being that the man is always sober and capable of giving and receiving orders. With reference to what I have stated concerning the habits of Mr Beaumont, I can testify upon oath, and so can the guards in general.

I am, Sir,
Your obedient servant,
PATRICK WALL.

Re Charges against Chief Guard, Central Prison

Toronto, Sept. 16 1875

SIR,—I have the honor to inform you that it is my intention to investigate into charges of drunkenness and irregular conduct that have been preferred against you as Chief Guard of the Central Prison.

I have the honour to be, Sir,

Chief Guard Beaumont,
Central Prison,

Your obedient Servant,
J. W. LANGMUIR,
Inspector.

WARDEN'S OFFICE,
CENTRAL PRISON OF ONTARIO,
Toronto, 20th Sept., 1875

Minutes of an investigation held by the Inspector of Prisons into certain charges preferred by guard Patrick Wall, against Chief Guard Beaumont, commenced at the Central Prison on the 20th September :—

PATRICK WALL being sworn, deposed as follows :—I am a guard in the Central Prison, was appointed as temporary guard on the 10th March, 1875 and on the 5th of May was permanently confirmed in the position. On the 5th of September (Sunday), on going into the dormitory in the guard room, I found a lot of clothing, which I thought was placed there as a joke. I threw them into the yard through the window. A short time after, the Chief Guard asked me if I had thrown them out and asked me to go out and pick them up. I said I did, and told him some of the other guards had the better right to do so. I then prepared to go out of the prison, as I was not on prison duty ; but on going to the grated door on the south, which is the proper way out, I found it locked, and the Chief Guard informed me I could not go out. I then went back to the guard room, and remained there until 3 p.m., when I went out into the town. I reported the matter to the Warden verbally on Monday, and on Tuesday morning I sent to the written statement now produced and marked No. 1. With respect to the statements made in the paper in regard to the intemperate habits of Chief Guard Beaumont I repeat the same now upon oath. I informed the Deputy-guard Mr Umieke, and the guards generally that I reported to the Warden my detention in the guard room, also in respect to the intemperate habits of Mr. Beaumont. On Tuesday or Wednesday Guard Umieke came to me and told me that Mr. Beaumont wished me to withdraw the charges I had made against him in respect of his intemperate habits. I said to Umieke that I did not care whether they were withdrawn or not as it was the truth.

On the following morning after the conversation with Umieke he (Umieke) came again to me and said the Chief Guard wished to see me in the Warden's Office. I went to him, when he asked me what satisfaction it would give me to bring the charge of intemperance before the authorities, if even I could prove it? He said that as far as Toronto was concerned it would ruin himself and family. I told him that I had no apprehension as to the result of a trial, but if the Warden would permit I had no objection to the withdrawal of the charge of intemperance. On the same evening the Warden sent for me, and in the presence of Mr. Beaumont, the charge of my detention in the guard-room was disposed of by the Warden, but the Warden expressed himself shocked in respect to the charge of intemperance preferred against the Chief Guard, and told me that the charges should have been made twelve hours after the occurrences.

I then came to the conclusion that the Warden believed that I had apprehension of the result of the charge of intemperance made against Beaumont, from the conclusion he arrived at, and from his statement that the charges should have been made within twelve hours after the occurrences.

The first week I was on night duty in the prison, during my temporary appointment, which was on the 25th of March, I saw the Chief Guard in the south corridor about 7 or 8 p.m., he spoke to me, I then suspected that he was under the influence of liquor. I asked him some questions as to the discharge of my night guard duty, as he did not instruct me,

and from his answers to me, I was convinced that he was interiested. Having asked him what I should do if I saw a prisoner coming out of his cell at night? he said "Shoot him; put the six barrels into him." I had only a five-chambered pistol. I thought I had an right to shoot a prisoner under such circumstances, as there was a gong to warn and bring assistance. I also smelt liquor upon him. His articulation was changed

On the 13th April, at 10 05 p.m., Beaumont visited Guard Somers while he was on night duty. I saw him through the grated door

I saw an entry in Somers' night guard's report, saying, "Visited by Chief Guard at 10 5, drunk." The Deputy-chief Guard, as Somers told me, asked him to erase it. The same night at about 8, I saw Beaumont, and he was then under the influence of liquor, I judged so from the same evidence as before stated.

On the 24th June it commenced to rain at 4 30 p.m., and the prisoners, who were breaking stone, were brought in and put into their cells without being counted and the cells were not looked; neither of these duties were performed until six, p.m.

The Chief Guard was drunk that afternoon, Mr Unlacke remarked the same thing to me, he talked very thick, the Deputy-chief was absent on leave of absence that day

On the last week in August, Guards Eames and Dean both remarked to me that the Chief Guard was drunk, which I saw myself. Eames said, "By George, he is pretty full!" and Mr Dean, "He has a good deal in him."

I have frequently seen him drunk on other occasions, but I have not the dates. I never saw him drink any liquor inside the prison, but Guard Unlacke told me that he had drunk liquor with him (Beaumont), upon the prison premises.

He said that somewhere about the scrap shed he found Beaumont drinking whiskey or liquor with some other guards. He said Beaumont offered some to him, and he drank it. I have seen with my own eyes seen Beaumont or any other officer or guard, drink liquor upon the prison premises.

With respect to my statement that Chief Guard Beaumont's control over the guards is now merely nominal, I have many instances of it; viz on the 22nd June prisoners O'Hara McAlbster, Adams Lee Day and Campbell were reported by Guard Somers for laughing and talking; they could not have been reported to the Warden, as no punishment or reprimand followed.

On the same day Guards Hill and Watt reported M'Carty, Lynch, Lee, Slack, Sault, Kelly, Watts, Dey, Collins, Williamson and Eyre, for inattention at work and talking, but no punishment was awarded. On the 23rd June, I reported prisoners Walton and McKenveay for laughing and talking at the dinner-table, they were not punished, and I have not seen prisoners since

Acts are done in the guard-room, such as whistling, talking, dancing, etc., before Beaumont, which would not be done before Mr Steadman, and from which I think that they, the guards don't care for him.

Certain guards use get off doing duty by simply telling Mr Beaumont that other guards come before them when it is really not the case. On the 2nd of May I went off night duty, when I was warned for Sunday corridor patrol, which is from 1 to 6 p.m. I performed the duty This was prior to the issue of an order forbidding it. I have an evidence or proof that he (Beaumont), neglected to perform his duty in giving orders or carrying out orders to guards, for four of offending such guards, but I have my opinion that he has

F WALL

CAPTAIN PRINCE, Warden, sworn.—Chief Guard Beaumont informed me, before I investigated into the charges preferred against him by Guard Wall, that Wall had expressed to him a desire to withdraw the charges made against him, but I was not aware that the Chief Guard had, prior to that, been using influence upon Wall, as stated in his evidence, to have the charge withdrawn. As soon as I discovered that, I reported the matter to the Inspector

W. S PRINCE, *Warden*

MAURICE UNLACKE, sworn:—I no guard in the Prison, have been so since its opening. I never told Guard Patrick Wall that I came upon Chief Guard Beaumont drinking liquor with a guard or guards somewhere about the scrap-iron shed, and that I took some liquor myself at the time. I never told Guard Wall any such thing, because it never happened. I never saw Chief Guard Beaumont drink upon the Prison premises; nor I never saw him

under the influence of liquor nor I never told Wall that I saw him—the Chief Guard—in that state, I have heard Wall say things about the Chief Guard that convinces me that he has a spite against him.

M UNIACKE.

Guard MARTIN SOMERS, sworn :—

I have been a guard in the prison for ten months. I was on night duty on the 13th of April last. On one occasion—I don't say when—I made an entry in the night-guard report book, that I had been visited while on night-guard duty by Chief Guard Beaumont at a certain hour, when he was drunk. I showed the report to Deputy Chief Stedman, and he told me there was plenty of time, and to wait. I then erased the part stating that the Chief Guard was drunk when he visited me. I don't remember that I showed the report to Wall, but I told him of having made it, the reason why I made the entry was, that a few days before that I was entered for duty by the Chief Guard out of my turn. I informed him that it was out of my turn, and told him who should come first. He told me that he kept the duty roster and that I must go on. I said "very good," but I wished to see the Warden. Upon that the Chief Guard slapped his stick on the guard-room floor and said that he would allow no one to change his entry. He also called me a grumbling fellow, and said that if I would send in my resignation the Warden would accept it. I was not put on duty that night or the following, although I was detailed. I thought that a man who had been fifteen years an effective non-commissioned officer in the service should have known better than detail for duty out of turn, and therefore I said he was drunk. His manner of speaking on that night and other occasions convinced me that he was drunk. He spoke thickly. I never saw him drink upon the Prison premises, nor no one of the guards ever told me that he was seen to drink upon the premises.

M. SOMERS.

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 22nd Sept., 1875

SIR,—Having heard from some of the guards of the Central Prison, that during the afternoon of the 20th inst. you held an investigation into some charge or charges preferred against me by a guard of the Prison, named Wall, and having the most implicit faith in your sense of justice, I beg to request that I may be informed if such is the case

I am unacquainted, to a great extent, with the laws of this country, but I presume, as a public servant I have a right to know when an official investigation into the propriety of any of my acts takes place. I am not aware, nor have I been informed, of having been guilty of any dereliction of duty, or breach of discipline of any sort, much less any act that would necessitate an investigation, but I am aware of the fact that the aforesaid guard, Wall addressed to the Warden a letter containing some extraordinary charges against me. Guard Wall, at the time, was smarting under the irritation of a censure from me for what I did then and do now consider an unwarrantable act on his part. He expressed his regret for writing the letter the following day, and requested me to ask the Warden to allow him to withdraw it, which I did.

The Warden saw Guard Wall that afternoon and in my presence informed him that he declined to receive the letter, as it was entirely contrary to the By laws to accept such unspecified charges, which were also made quite out of the limits of the time prescribed.

I am quite willing, if it is considered necessary, for my acts and mode of conducting the duties of my position to become the subject of either a Government or Public investigation, but I trust, if such is the case, that I may be duly informed of it and made acquainted with the charge or charges preferred against me, and further, that I may be allowed to be present to hear the evidence given against me.

I have the honour to be,
Sir,
Your obedient servant,
JAMES BEAUMONT,
Chief Guard.

The Inspector of Prisons,
Toronto

SEPTEMBER 23rd, 1875

Re, Complaint against Chief Guard,
Central Prison

SIR,—Referring to your letter of the 18th inst. and my subsequent enquiry into the facts of the alleged misconduct of Chief Guard Beaumont, I have the honour to inform you, that although I do not consider the evidence offered at that inquiry sufficient to warrant any proceedings in an investigation, yet I am convinced that there is some truth in the charges, although proof sufficient to convict the Chief Guard of the alleged misconduct was not forthcoming.

In future I shall decline to make any investigation into such charges unless they are made by yourself and brought officially to my notice as demanding an investigation with evidence as to their correctness.

You will be so good as to hand the enclosed letter to Chief Guard Beaumont.

I have the honour to be, SIR,
Your obedient servant,
J. W. LANGMUIR,
Inspector.

Capt. W. S. Prince,
Warden, Central Prison,
Toronto

Re charge against Chief Guard,
Central Prison.

SEPTEMBER 23, 1875

SIR,—Referring to your letter of the 22nd inst., I have the honour to inform you that certain charges were made against you by Guard Wall, and forwarded to me by the Warden, and that I made an informal enquiry into their correctness, and found that there was not sufficient evidence to warrant my making a formal investigation into the matter.

At the same time, the evidence adduced left no doubt on my mind that the charges were more or less correct, and I would, therefore, beg to reiterate that which is well understood to be a rule of the prison—that drunkenness will on no account be tolerated and that I should recommend your dismissal should a well authenticated charge be brought to my notice of any such misconduct on your part.

I have the honour to be, SIR
Your obedient servant,
J. W. LANGMUIR,
Inspector.

Chief Guard Beaumont,
Central Prison.

TORONTO, February 20th, 1876

To the Inspector of Prisons.

SIR,—Some months since I addressed you a communication in relation to the conduct of Mr James Beaumont, the Chief Guard of the Central Prison. In this letter no specific charge was preferred against him, as no actual evidence in support thereof was available and could be produced by me, but I stated in that letter that the Chief Guard, *owing to his intemperate habits has neglect in not reporting matters connected with the discipline of the Prison* and his *obstructiveness in the performance of duties ordered by me*, together with his *deceptive practices* unfitted him for such a responsible and important position as Chief Guard. I have now to reiterate my former statements, and to add that, from circumstances which have transpired, I consider the present Chief Guard an *obstructive and dangerous officer*. In using the word dangerous, *I mean that he would wilfully commit an action that would not only tend to involve me as Warden, in serious trouble, but bring disgrace upon the Institution. It is the duty of the Chief Guard to correctly keep the Registry of Prisoners,*

the Registry shows the description of the Prisoners, the date of sentence, and expiration of sentence. These entries are very simple, and with common attention no mistake, except *intentionally* committed, can possibly occur The prisoners are discharged by me personally of a morning the Chief Guard producing a board on which the prisoners names are specified, containing those to be discharged during the month, with the dates of discharge set opposite their respective names

On the morning of the 8th of January I discharged William Lynch, in accordance with the registered date. Some days afterwards it was reported to me by the Deputy Chief Guard, Mr F Bellman that this prisoner had been discharged before the expiration of his sentence and this proved to be correct and the circumstance of this wrong discharge was withheld from my knowledge by the Chief Guard.

A prisoner, named Page (a receiver of stolen goods, well known to the Toronto police) was brought into my office dressed for discharge in accordance with the Chief Guard's order on the 12th January last. The Deputy Chief Guard suspecting that his term of service had not expired, prevented his being discharged, and on reference to the copy of the conviction, it turned out that his period of imprisonment did not expire till the 30th of January although he was registered to be discharged on the 12th This was never reported to me by the Chief Guard I have had difficulty in getting my orders carried out by this officer In fact, upon occasions he has obstructed the observance of them, and instances have occurred in which he has altogether neglected to read my orders to the officers of the Prison.

Dereliction of duty on the part of officers have been, I am convinced, utterly ignored by him, and of course not reported to me In fact the discipline of the Prison has only been thoroughly maintained from the reports and assistance rendered me by his subordinates the Deputy Chief Guard It has been obvious to me for the past eighteen months, that the Chief Guard had no moral authority over his subordinates he is therefore afraid to exercise his official authority the result of his previous misconduct and intemperate habits—all of which the Prison guards are cognisant of.

I have no hesitation in affirming that this officer when on duty in the Prison of an evening, absents himself at times when he should be present in the guard room He has ever displayed marked indifference to the welfare of the Prison, and to the earnest and systematic labour of the working gangs.

He obstructs rather than encourages, and I feel that his retention in such a position of trust would be prejudicial to the discipline and success of the Institution. I consider him an official not to be trusted,—untruthful, intemperate, deceptive and scheming, and I have no hesitation in saying that he is capable of playing me a false trick at any time I therefore seriously desire that you will be good enough to bring the matter of this letter under the consideration of the Government, and recommend the removal of this officer from his office as Chief Guard.

In advocating the removal of this official without a directly drawn up charge, supported by the necessary sworn evidence, I would observe that, having been in command of bodies of men for many years, in various trusts and positions, experience has taught me that it is not absolutely necessary in order to dispense with the services of an undeserving officer, who at any time might forfeit the trust reposed in him, to be compelled to produce witnesses take sworn testimony and go into a lengthy investigation, and this is especially defined in the executive administration of the Police Department, where it is often impossible to bring home charges against a wily police officer, who is an adept at evading actual detection in the act

The only mode left for the executive officer in disposing of such an official, is general impression as to the results of duties performed by him his sobriety, vigilance, and energy, and conscientiousness in the discharge of duties.

I remain, my dear Sir,
Yours truly,
W S Prince
Warden.

P S.—In that part of my statement relating to the conduct of the late Chief Guard, James Beaumont, in not reporting officers, what I desire to convey is that the late Chief Guard abstained from making reports against officers when he had the opportunity of witnessing offences that came under his personal observation, and that he was otherwise cognizant of such, as officers coming into the guard room intoxicated wrangling and swearing, drinking in the premises, &c. offences which I could not possibly know of, unless they were reported to me and which misconduct more than any other tends to uproot the discipline and respectability of the Prison and its staff

There are a number of offences registered by me in the Officers' Misconduct Book, as having been reported by the Chief Guard; these, however, are offences patent to the whole Prison, and taken cognizance of by me immediately such as neglect of duty in allowing a prisoner to escape, absence from night duty, absence at evening parade for duty, absence from gang duty," all which is known to all the officers at the time, and could not be concealed Action thereon being required at once, in order to carry on the supervising duty correctly

Prisoner Edward Shufelt transferred 2nd August, 1875 sentenced 12 months, should have been discharged on the 24th July, 1876, but registered for discharge 31st July

Wm Procter transferred 8th November, 1875 sentenced 6 months, should have been discharged 28th April, 1876, entered in register as to be discharged 27th

Mathew Fowler, transferred 3rd January 1876, sentenced 4 months, registered for discharge 24th April 1876 should have been discharged 27th April.

Francis Bradden, transferred 7th February, 1876, sentenced 8 months, registered for discharge 26th August, 1876, should be 24th July 1876

Alex McKenzie, transferred 7th February, 1876, sentenced 6 months, entered in register to be discharged 17th August, 1876, should be 17th July 1876

Richard Chaney transferred to Central Prison 17th November, 1874, sentenced 18 months, escaped 14th May, over the west wall, registered in the Prisoners Property Book, as having $2.15 by the Bursar, Mr. Short, and in the column where the prisoner's names ought to appear as a witness to the possession and registry of the amount, the initials J H, in the handwriting of the late Chief Guard James Beaumont, the property is not forthcoming it should be in the safe at the present time.

W S PRINCE
Warden.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &c., ONTARIO,
Toronto, 1st March, 1876.

Re Chief Guard, Central Prison.

SIR,—I have the honour to transmit for your information and instruction a communication received from the Warden of the Central Prison animadverting in the strongest terms upon the character and conduct of Mr James Beaumont, Chief Guard of the Central Prison The charges, as you will observe, most seriously affect the moral and official character of that officer, and whether true or false, must completely destroy for the future the good relationship and confidence that should exist between the Warden and the Chief Guard.

That you may the more readily realize the results of this want of confidence, I may state that all the Warden's orders to subordinate officers and guards, pass through the Chief Guard, and during the absence of the Warden from the prison, he acts as Deputy Warden, and as such is clothed for the time being with the full authority of the Warden

The charge preferred against him by the Warden of drunkenness upon the prison premises, has been made on several occasions before, and although not *clearly* proved, legally still I entertained no doubt as to his guilt and warned him that the production of *reasonable* evidence of his being intoxicated would be followed by instant dismissal Such action became imperative inasmuch as it *had* been *clearly proved* that the Chief Guard had been in the habit of frequenting taverns and drinking in them with the Prison Guards.

The charges that he is deceptive in his character and guilty of practices that render him "an obstructive and dangerous officer and one that would wilfully involve the War-

den in trouble and bring disgrace upon the institution ' are of such a nature as only to be properly judged by one coming into daily contact with the Chief Guard, and having his habits and practices under constant observation.

The charge that the Chief Guard has discharged some prisoners before the expiration of their sentences is correct, and is either the result of gross carelessness in keeping the register, or a criminal interest and collusion with prisoners. If due to carelessness only, such explanation and report should have been made to the Warden of the facts, as would have enabled him to guard against a recurrence of the carelessness. This, it seems, the Chief Guard neglected to do.

The charges that the Chief Guard has neglected to carry out the orders of the Warden and on some occasions has obstructed the observance of them, that he has not reported on many occasions dereliction of duty on the part of officers, that he has no moral authority over his subordinates, and that he is *afraid* to exercise his official authority, owing to previous misconduct and intemperate habits, which are known to the guards, are also of such a nature that they can only be properly judged by one coming in daily contact with the Chief Guard and having him under constant observation.

While I am fully of the opinion that any officer or servant of a public institution against whom charges are preferred, is justly entitled to demand and receive through an official investigation, an opportunity of rebutting such charges, still when the head of the institution and the officer directly responsible to the Government for its discipline and management (more particularly in a prison where the safe custody of prisoners is at stake), deliberately states over his signature as the Warden of the Central Prison does respecting the Chief Guard, "that his retention in such a position of trust would be prejudical to the discipline and success of the institution, that he considers him an official not to be ' trusted, untruthful intemperate, deceptive and scheming." It is very clear that if the Warden is to be held responsible for the management and discipline of the Prison, that any subordinate officer respecting whom he finds it necessary to report in the manner he has done in this case, must be summarily dismissed.

I have the honour to be Sir,
Your obedient Servant,
J W LANGMUIR,
Inspector.

To the Honourable, the Provincial Secretary

3rd March.

Re Chief Guard.

SIR—I have the honour to acknowledge the receipt of your letter of 20th ultimo, preferring certain charges against the Chief Guard of the Central Prison.

You state that owing to intemperate habits, neglect in not reporting matters connected with the discipline, and obstructiveness in the performance of duties ordered by you, together with deceptive practices generally, that that officer is unfitted for the discharge of the responsible as ! important duties of his position.

You also state that in your opinion, he would not hesitate to wilfully commit an action that might not only tend to involve you as Warden in serious trouble, but would bring disgrace upon the Institution. You further state that owing to carelessness in keeping the Register of the Prison (a duty that devolves upon the Chief Guard), that prisoners have been discharged from the Prison upon several occasions prior to the expiration of their sentences, and, that although these irregularities were well known to the Chief Guard, still he failed to report the matter to you, in order that steps might be taken to prevent the recurrence of the same.

You also state that you not only experienced great difficulty in having your orders carried out by this officer, but that upon some occasions he has obstructed the observance of your orders and on other occasions has neglected altogether to read them to the officers of the Prison

You state that dereliction of duty on the part of officers has been utterly ignored by him, and not reported to you and that, in fact, the discipline of the Prison has only been thoroughly maintained by the reports and assistance of officers subordinate to him

You say that you are convinced that the Chief Guard has no moral authority over his subordinates, and that owing to previous misconduct and intemperate habits—of which the Prison Guards are cognisant—that he is afraid to exercise his official authority over them and that you therefore consider him an official not to be trusted, untruthful, intemperate, deceptive and scheming.

I need not state that under ordinary circumstances, it is the desire of the Government that officers and servants of public institutions against whom charges are preferred should have an investigation into such charges, and obtain an opportunity of rebutting them still when the head of an Institution, and the officer directly responsible to Government for its discipline and management (more particularly that of a Prison where the safe keeping of a large number of prisoners is at stake), deliberately makes charges that so seriously affect the moral and official character of an officer, and, in consequence, the character of the Institution with which he is connected, it is clear that if the authority and responsibility of such manager is not to be totally destroyed, the officer whom he so unfavourably reports must be dismissed for whether the charges are true or false it is very evident that the good relationship and confidence that should exist between them must be completely destroyed

When it is considered that all your orders to subordinate officers and guards pass through the Chief Guard, and that, during your absence from the Prison that officer acts as Deputy Warden and is clothed for the time being with the full authority of the Warden, this action becomes the more imperative.

Having laid your communication before the Honourable the Provincial Secretary, who has given the matter the fullest consideration I am directed by him to inform you that the services of Chief Guard James Beaumont are now no more required, and you will communicate to him that, for the reasons set forth in your letter, he has been dismissed from the Central Prison service

I have the honour to be
Your obedient Servant,
J W LANGMUIR,
Inspector

The Warden of the Central Prison
Toronto.

BOX 603,
TORONTO, 9th March, 1876

To the Honourable S C Wood,
Provincial Secretary

SIR,—I have been much surprised by the receipt of an official letter from the Warden of the Central Prison, in which I am informed that in consequence of certain charges having been made against me, the Government have directed my removal from the position of Chief Guard which I have held since the opening of the Institution

As this step involves not only the loss of my situation, but also my character I am surprised that I should not have been previously informed as to the nature of the charges and an opportunity allowed for an explanation

I am therefore induced respectfully to request of you, as Secretary of the Province and head of the Department under which I have been serving to cause me to be supplied with a copy of the charges, and further, that the Government will afford me an opportunity of confronting my accusers, with a view to remove the censure implied in the summary dismissal of which I have been so unexpectedly notified.

I have the honour to be, Sir,
Your most obedient Servant,
JAMES BEAUMONT
Late Chief Guard, Central Prison

17th March, 1876.

SIR,—I am directed by the Hon. the Provincial Secretary to acknowledge the receipt of your letter of 9th inst., and to state that the reasons why you were removed from the position of Chief Guard of the Central Prison are set forth in a letter received from the Warden, of date February 20th, inst. In that letter the Warden states that owing to your intemperate habits neglect in not reporting matters connected with the discipline of the prison, obstructiveness in the performance of duties ordered by him, irregularity in keeping the register of the prison, neglect in not reading the orders issued by the Warden, overlooking and not reporting offences and misconduct on the part of officers of the prison, and deceptive and obstructive practices generally, your removal was recommended.

While the Government is desirous of giving every officer in the service of a Public Institution an opportunity of rebutting any charges that may be preferred against him, still it is clear that if the authority of the Superior Officer of an Institution, particularly of a prison—is to be upheld, due weight must be given to all charges preferred against his subordinate officers.

When therefore the Warden over his own signature deliberately states that your retention in office for the reasons set forth by him would seriously affect the discipline and management of the prison, it is clear that the good relationship and confidence that should exist between the Warden and his Chief Guard is completely destroyed.

Particularly is this the case when, as you knew, the Warden's orders to all subordinate officers and guards must pass through the Chief Guard and that during the absence of the Warden he must act as Deputy Warden. For these reasons the Warden was instructed to remove you from your position as Chief Guard of the Central Prison.

I have the honour to be,
Sir, your obedient servant,
J. W. LANGMUIR.

Mr James Beaumont,
Box 605, Toronto, Ont.

BOX 605, TORONTO, 22nd March, 1876.

The Honourable the Provincial Secretary, Toronto.

SIR,—I beg most respectfully to transmit to you a copy of a letter I have written to the Inspector of Prisons in reply to one I received from him written by your directions, and by which I was for the first time made acquainted with the grounds for my removal from the position of Chief Guard of the Central Prison.

I have the honour to be,
Sir, your obedient servant,
JAMES BEAUMONT

BOX 605, TORONTO, 21st March, 1876

The Inspector of Prisons

SIR,—I have the honour to acknowledge the receipt of your communication of the 17th instant, in reply to my letter of the 9th, addressed to the Honourable Provincial Secretary, detailing the charges made against me by the Warden of the Central Prison, and regret that my dismissal was so arranged that this should be the first opportunity of my becoming aware of their nature, or being able to offer any explanation in reply

1 *Intemperate Habits.*

This habit I deny and beg to state that, though not a total abstainer I have never while an officer in the Prison been in the least incapacitated from the proper performance of every duty required of me, day or night, in consequence of intemperance. Further,

when I entered the service of the Central Prison it was with the full understanding that any single act of intemperance would be dealt with in the manner adopted in the Army, Navy and Convict Service of Great Britain, viz., that the Warden would call a witness to the fact and suspend me my dismissal, as a matter of course immediately following—this has never been done nor have I ever been charged with intemperance by the Warden.

2. *Neglect in not Reporting to the Warden, &c.*

With regard to the accusation of neglect in not reporting to the Warden matters connected with the discipline of the Prison. I distinctly assert that I am entirely unconscious of any neglect in this particular, certainly none that would be deemed matters of importance by any *impartial* judge.

It is true that I suppressed one report made to me of insubordination of prisoners in one gang, as the cause of it arose from the alleged conduct of the Warden.

3. *Obstructiveness in the Performance of Duties*

This I must again deny any consciousness of, unless it refers to matters connected with the domestic arrangements of the Warden's house, the written orders for which I now hold, to be produced when required, having always felt too much interest in prison affairs to have offered the slightest obstruction at any time.

4. *Irregularity in Keeping the Register*

In reply to this I have only to remark that from the opening of the Central Prison to the day I left, no person ever made an entry in the Prison Register but myself, that it lay open every day, without exception in the Warden's office for his inspection, and on no single occasion has there ever been the slightest fault found with its correctness or incompleteness. Surely if any neglect existed in this matter it was not unreasonable to expect that my attention would have been called to it by the Warden, especially when he was fully aware of the various other calls upon my time and attention. Referring to an error I made in computing the time of a man named Lynch, by which he was discharged some days previous to the expiration of his sentence, I may state that I reported the mistake to the Warden immediately I discovered it—four days after. This man's sentence was among the first I had to calculate after taking up that duty, and I believe is the only case in which any mistake on my part was not discovered in time to prevent any unfavourable result.

I may take this opportunity of drawing your attention to the fact that, although paragraph 74 of the by laws fixes the duty of the Chief Guard *to see* that the books, &c. in the Warden's office are properly kept, the additional duty of *doing it* was imposed upon me through assistance in the shape of a prison clerk being forbidden by the Warden, and no other provision made. The variety of other duties laid out for the performance of the Chief Guard most seriously interfered with that uninterrupted attention which is as essential to the correct keeping of books of any kind, and I referred to this in my letter to you of the 16th October last.

5. *Neglect in not Reading Orders Issued by Warden*

I emphatically deny that I was ever guilty of neglect in reading any of the orders of the Warden, the whole of the orders having been read by me at the time of publication with the exception of one or two which the Warden himself verbally informed me need not be read, and to which I can refer to from memory when called upon.

6. *Overlooking and not Reporting Offences of Officers.*

In this matter I cannot recall any case of neglect on my part, which in the reasonable discretion to which the officer in my position was justified in exercising.

Had I reported all reports made to me during my service in the Central Prison, serious scandals might have been brought to notice, which, for the credit of the prison, I deemed it my duty to suppress.

I am happy to be informed that the Government is desirous to give every officer in the service of a public institution an opportunity of defending himself: and I trust they will extend the same to me by instituting a full and *impartial* investigation of the alleged charges, and while giving full weight to the charges preferred by the Warden, that their weight shall only be estimated by the facts which may be established by evidence.

I have been fully aware that nearly ever since the opening of the Institution, a junior officer of the prison has had the ear and confidence of the Warden; and has boasted that he would have me removed and secure my position; and am firmly convinced that the Warden has been largely influenced by his misstatements, and has been misled in consequence to use his influence for my removal: but I had great confidence that no dismissal would take place without an inquiry into the facts, when I knew the truth would be made apparent and the ardent desire of the Warden to place in my position one who enjoyed more of his confidence, whether deservedly or otherwise.

I am fully aware of the importance of a good understanding existing between the Warden and his Chief Guard: and had the only ground for my removal been based on this fact and been so represented to me by you, without the charges detailed above, it would have been different, but when I consider that as Deputy-Warden I conducted the business of the prison in such a manner during his absence in 1874 as to secure his unqualified approval, and again during his prolonged absence in 1875, with a similar result, and I believe also entirely to your satisfaction, and having given all these circumstances my mature deliberation, I most respectfully and earnestly request that a full and *impartial* enquiry may be instituted and that I may not be dismissed with an undeserved stain on my character, which must necessarily prevent my securing other employment, upon which the welfare and comfort of my self, wife, and family in such a large degree, are dependant.

I have the honour to be, Sir,
Your most obedient servant,

JAMES BEAUMONT,
Late Chief Guard Central Prison.

TORONTO, 25th March, 1876

SIR,—I have the honour to acknowledge the receipt of your letter of 21st inst., which I have transmitted to the Hon. Provincial Secretary for consideration and instructions.

I have the honour to be, Sir,
Your obedient Servant,

MR. JAMES BEAUMONT,
Box 605 Toronto, P. O.

J. W. LANGMUIR,
Inspector

25th March, 1876.

SIR,—I transmit herewith for your perusal a letter received from Ex-Chief Guard Beaumont.

You will observe that he denies most of the charges preferred against him.

You had better deal with the denials in the order in which they are placed and give instances. This report is asked for, for the information of the Government not with a view of communicating its contents to Mr Beaumont.

I have the honour to be, Sir,

Your obedient Servant

The Warden, Central Prison, Toronto.

J. W. LANGMUIR,
Inspector

PROVINCIAL SECRETARY'S OFFICE TORONTO,
March 29th, 1876

SIR,—The Inspector of Prisons has been instructed to send a copy of your letter to Capt. Prince, and when we receive his reply will determine what course to pursue

I have the honour to be, Sir,
Your obedient Servant,
S. C. WOOD,
Secretary

Jas Beaumont, Esq.,
Box 605, Toronto

Re Communication of Ex-Chief Guard James Beaumont.

March 30th,

To the Inspector of Prisons &c.

SIR,—I have the honour to acknowledge the receipt of your letter of the 29th instant, enclosing a communication addressed to you by the late Chief Guard of the Central Prison. To this letter I shall send you a reply with as little delay as possible, in the meantime I return the letter without loss of time as desired.

Your obedient Servant
W. S. PRINCE,
Warden.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C. OF ONTARIO,
TORONTO 28th April 1876.

Re Ex-Chief Guard Beaumont.

SIR,—Referring to the communication of this dismissed officer, addressed to you, asking to be furnished with the reasons why he was released from duty, I beg to state that I transmitted the letter to the Warden and I now have the honour to forward to you his reply which affords an additional evidence of the necessity that existed for discharging Mr Beaumont from the Central Prison service

Be good enough to return the letter for filing in this office

I am, Sir,
Your obedient servant,
J. W. LANGMUIR,
Inspector

The Honourable Provincial Secretary

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 21st April, 1876.

To the Inspector of Prisons, &c.

SIR,—In reference to your letter enclosing a communication from the late Chief Guard Central Prison in which he denies the truth of my representations as to his unfitness for office, from his intemperate habits and other reasons addduced by me I have the honour to inform you, that the best proof in support of the correctness of my statement to you in the discipline, correctness and harmony that has pervaded every branch of duty since the 8th of last month, the date of the late Chief Guard's removal, but I shall deal with his denials *seriatim*; and first as to his denial of intemperate habits.—Mr. Beaumont has been frequently under the influence of liquor which has been patent to every one in the Prison. Upon one occasion he *was sitting upon a chair* in the north corridor, between 3 and 4 p. m. so much under the influence of liquor as to be clearly observable, and remarked by the guards. Upon one evening whilst in this state he had the prisoners

rung down from the corridors *twenty minutes* before the arrival of the working gangs from the yard for the "evening counts" Numbers of other cases could be enumerated and witnesses produced in evidence thereof But I may state, that on the evening previous to his removal (the 7th March), while taking the "evening counts" *in my presence*, the late Chief Guard was so much under the influence of liquor that had I not just received the communication containing his dismissal, I should have suspended him, and dismissed him off the premises.

Neglects in not Reporting —This he also denies I have to state that the late Chief Guard *never* reported an officer since his appointment to office. The guards did in the guard room in his presence, whatever they chose. In defiance of my orders he would walk up and down the guard room, whistling and singing of a night, so much so as to attract the attention of the corridor night patrols, while the guards would quarrel and wrangle in an unseemly manner without check As I have stated in my reports to you, he would when on duty and in charge leave the Prison and remain away for hours. Upon one night the Deputy Chief Guard, on returning to quarters at 7 30 p m (unexpectedly), as it was his evening on leave, heard the hospital bell rung; finding it was not replied to by the officer on duty (Mr Beaumont) he himself went up, and found that one of the patients had been taken suddenly worse This late Chief Guard was not forthcoming, and did not return to the Prison till 9 40 p m, just before lights out, but as regards this practice, I can produce sufficient evidence to prove that it was constantly carried out, and so little regard had he for the discipline of the Prison and the execution of orders that I have left for the city at 9 p m, leaving the late Chief Guard as the officer on duty in charge for the evening, and that he, as soon as I had gone, *left also*, so that the Prison was of an evening left without the *supervision of a single superior officer* Orders were issued by me for all the guards to be paraded and inspected by the Chief Guard prior to their mounting duty of a morning, in order that he might see that they were properly equipped, and correct in every respect This duty I found was entirely neglected, and my detection of this neglect originated in one of the guards having left a loaded pistol in the dormitory, which had actually been taken possession of by a prisoner and hid away by him in a cell, and this guard never reported the absence of this pistol for eighteen hours, nor did the Chief Guard know anything about it. Upon another occasion, Prison Guard Henry Langman, who was one of the guards for *mail* duty on the morning of the 7th of June last year, was passed by the late Chief as correct and fit for duty, *when he was drunk and unfit for duty*, and his being in this state was accidentally discovered by the Deputy Chief Guard on his proceeding to his post, and Guard Langman was dismissed The late Chief Guard remarks "That he cannot recall any case of neglect which an officer in his position was justified in exercising, and also states that if he had reported all things during his service scandals might have been brought to notice which for the credit of the Prison, he deemed it his duty to suppress My orders to him from the day he was sworn in were that all things connected with breaches of discipline and the rules and regulations of the Prison were to be reported to me by him personally I have cautioned him time after time upon carrying out this order to the very letter, and to be most particular in observing and reporting to me upon the conduct of the officers in the guard room. If he had obeyed these orders, the scandalous behaviour which was afterwards elicited upon your investigations—such as smuggling liquor into the Prison premises, tippling, intoxication, and the use of foul language, coupled with other conduct unbecoming the character of Prison guards—could never have taken place, all this the late Chief Guard must have been cognizant of the performance in many instances taking place under his own eyes, and then he attempts to justify himself in the suppression of the information from me.

Irregularity in keeping Register —The two cases in point, quoted in my communication are sufficiently glaring to admit of no denial these cases were never reported to me by the late Chief Guard. Upon my charging him with neglect in causing Lynch to be discharged before his time he stated that it was the fault of the Bursar who endorsed the convictions and notes for the register at the time that Lynch was transferred Now the register is wholly in the late Chief Guard's own hand writing, and the entries must have been made from the copies of the convictions, and transfer returns to the Bursar had nothing to do with making the entries in the register book The Prison Clerk alluded to

by him was brought into my *office to assist the Bursar* in making up his books and accounts this prisoner had nothing to do with the late Chief Guard or with the books and returns that it was his duty to keep and make up, and which a couple of hours application a day on his part, would have sufficed to have kept filled up, and correct. An other instance of these irregularities (to use the mildest term) has come under my observation during *the last fortnight*, in prisoner Stephen Collins, being registered to be discharged on the *7th of April* whereas on reference to the copy of conviction, I found it to be the 27th April, on examination of the register again the scratching out of the 2 before the 7 is as clear as noon-day.

Obstruction.— To show you what little dependence I could place upon him and his desire to obstruct me in duties entailing great annoyance to me as "Warden." I have to state that on a Saturday I informed the Bursar that it was my desire that he should be present at the measuring of the stone, and that information should be sent to him when a pile was in readiness The Contractor Godson came into my office shortly afterwards, stating to me that the Bursar had left his office, and expressed a hope that I would allow him, the first thing Monday morning, to announce and haul away from a pile of stones that was in readiness for measurement, and that he would come up early on Monday when the Bursar was present and have the pile measured, accounting for the loads that had been taken away I complied with his request, and instructed the Chief Guard per*sonally about it in the presence of the Contractor* Upon Monday morning at 9 10 a.m. I was out in the front grounds conferring with the Deputy Chief Guard upon steps to be taken for the prevention of another flood, which the rise of water threatened I shortly afterwards went into the office and remained there till 10 a.m. I then returned to my quarters till 10 30 and during that time noticed the contractor driving out through the front gate. Immediately afterwards I remarked to the Chief Guard, that the contractor had been here. He replied *yes, sir , he came to see the Bursar*, as he could not take away his stone in his absence, and the Bursar has not come. Shortly after I discovered that the contractor had naturally enough acted to see me, when Mr Beaumont coolly informed him "that the *Warden did not wish to be disturbed*" I have recently found out that he frequently replied to gentlemen coming from the City and Yorkville, to see me, in the same tone. The late Chief Guard complains that a subordinate officer *had my confidence.* True, the Deputy Chief Guard had my entire confidence, which was transferred from Mr Beaumont o few mon ths after the latter had been sworn in, as I soon found out that the late Chief Guard was not to be trusted, and well has Mr Stedman fulfilled the trust reposed in him for by his watchfulness, truthfulness and energy, in the discharge of duty, he has rendered me very important service, counteracting to a great extent the evil influences upon the welfare of the Institution, endangered through the appointment of such a character as this late Chief Guard, to such a position of trust. In the beginning of last year when there were about 330 prisoners in the Central Prison, and no employment for them but drill, and but few guards, o report was circulated that an attempt would be made to escape, and that assistance was expected from outside , of course I felt very uneasy, especially as having so large a number of prisoners with no employment to keep their minds occupied. Upon my visiting the Prison at a late hour one night, and passing through *my office* I happened to open the drawer of a little table which stood against the south window, to look for a pencil, this drawer was not locked, and you may imagine my surprise when I discovered lying in this drawer the keys of the "Prison Proper," so that any one might have opened the window which is not barred, taken the keys entered the Prison and attacked the south corridor night guard. This culpable or perhaps wilful negligence, the late Chief Guard had been in the habit of committing for nights before it was discovered Since the man's removal, the general management of the duties of the Central Prison has been conducted most satisfactorily to me, the strictest discipline combined with harmony prevailing in every branch of duty under the Executive Administration of Mr Stedman the Deputy Chief Guard, assisted by Guard Edwin Newton, an intelligent retired Non-Commissioned Officer of the Royal Artillery.

I have the honour to be, Sir,
Your obedient servant,
W. S. PRINCE,
Warden.

BOX 605, TORONTO, 3rd May, 1876.

The Hon. S. C. Wood
Provincial Secretary

SIR,—Referring to the contents of your letter of the 29th March last, I beg to draw your attention to the fact that I am still waiting the result of your communication to the Warden of the Central Prison.

In my letter addressed to you on 21st March, I begged you would grant me an investigation into the alleged charges that formed the ground of my dismissal

I now respectfully renew that request, accompanied with the hope that it may take place at an early date

An additional inducement exists for me to urge this request, in the fact that it has come to my knowledge that Captain Prince has made scandalous and unjustifiable assertions about me, and my only reason for not taking legal notice of the same directly it came to my notice, was the fact that I was led to hope that an inquiry would take place into the truth or otherwise of the statements that brought about my unexpected, and in my opinion, undeserved dismissal

I have the honour to be, Sir,
Your obedient servant,
JAMES BEAUMONT

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
TORONTO 10th May 1876

SIR,—With reference to your letter of the 3rd inst., I have now the honour to transmit herewith, copy of the charges preferred against you by the Warden of the Central Prison, Toronto, when acting as Chief Guard of the said prison.

I have the honour to be Sir,
Your obedient servant,
I. R. ECKART,
Assistant Secretary

Mr James Beaumont,
Box 605, P O Toronto

BOX 605, TORONTO, 13th May, 1876

The Hon. S. C Wood,
Provincial Secretary.

SIR,—I have the honour to acknowledge the receipt of your letter of the 10th inst., enclosing a copy of the reply of Capt Prince, to my previous statements on the subject of my dismissal from the position of Chief Guard of the Central Prison, and in reply I beg to state that the charges preferred therein are quite capable of being disproved by documentary or oral evidence before any impartial tribunal their falsity proved, and the animus which prompted them made clear

Among the reports suppressed, with which the Warden charges me, was that of a guard in charge of a gang of prisoners, who complained that he (the guard) was unable to control his men, and keep them from laughing and talking in consequence of the Warden appearing before them in plain clothes, with his hat on the back of his head, and as much under the effects of liquor as to become the laughing-stock of all in sight.

With this, as one example of what can be established on a proper inquiry, I beg, in conclusion to state that when I received my appointment, it emanated from the Government and not from the Warden, and I did not for a moment suppose that they would allow my dismissal, and my character to be vilified on the unsupported statements of any individual, with out an opportunity being afforded of proving their correctness.

A reluctance to believe that such would be the case, has led to my remaining under the stigma as long as I have, in the hope that I would be afforded the opportunity of disproving the accusations made against me, without bringing the matter before the public.

As, however, two months have now elapsed and still feeling that the means adopted to secure, and the mode of carrying out, my dismissal, were at variance with the Statute and the rules laid down, I again most respectfully but earnestly urge that a full and impartial inquiry may take place, and that I may be allowed to *employ counsel* to assist me in the examination of witnesses to prove the incorrectness of the charges made, and vindicate my character which has been so cruelly traduced, as to prevent me either obtaining any other of the vast number of situations of which the Government have control, or obtaining employment in any respectable house of business in a city in which it is my desire with my family to remain. I respectfully ask the favour of an explicit reply to my request for an investigation and on the conditions named above, failing the receipt of which, I cannot be blamed afterwards, for taking such steps as I may deem best, to remove the stigma cast upon me even if it should be the means of bringing to light many things, which for the interest and credit of those concerned, would be better to remain in the shade.

I have the honour to be Sir,
Your most obedient servant,
JAMES BEAUMONT

PROVINCIAL SECRETARY'S OFFICE, ONTARIO
TORONTO, 16th May 1876

SIR,—I am directed to acknowledge the receipt of your letter of 13th instant and to inform you in reply, that your application for an investigation into the charges made against you, when in the capacity of Chief Guard of the Central Prison, will be granted, and the date for holding the same fixed on the return of the Inspector of Asylums from his present tour of inspection.

I have the honour to be Sir,
Your obedient servant,
I. B. ECKART
Assistant Secretary.

Mr James Beaumont, Toronto.

BOX 605, TORONTO, June 7th, 1876.

The Hon S C Wood,
Provincial Secretary

SIR,—Referring to your letter of the 16th ult., informing me that an investigation into the truth of the charges preferred against me by the Warden of the Central Prison, would be granted I have the honour to request that the said inquiry may take place at as early a date as practicable, and that I may receive due notice of the day fixed

I have the honour to be,
Sir,
Your obedient servant,
JAMES BEAUMONT

BOX 605, TORONTO, July 3rd, 1876

The Hon. S. C. Wood,
Provincial Secretary

SIR,—I have the honour to draw your attention to your communication to me of the 16th May last informing me that an "investigation should take place on the return of the Inspector from his present tour" into the truth or otherwise of certain statements made by the Warden of the Central Prison, which formed the grounds for my dismissal from the posi

tion of Chief Guard, without any opportunity being offorded, of refuting the charges made against me.

I beg now most respectfully to state, that I have hitherto refrained (to my own disadvantage) while waiting the promised inquiry, from seeking other employment, and as I cannot afford to do this much longer, I respectfully request you will at once adopt such steps as you may deem expedient to bring my case to an issue without further delay, in reminding you that it is now four months since my first appeal

I have the honour to remain,

Sir,

Your obedient servant,

JAMES BEAUMONT

BOX 608 TORONTO, October 5th, 1876

The Hon. S C Wood,
Provincial Secretary

SIR,—Referring to previous correspondence and our conversations on the matter of my dismissal from the position of Chief Guard of the Central Prison and particularly to my letter of the 13th May last, in which I request the privilege of employing counsel, on an investigation I beg to state that having duly considered your promise to personally conduct the same whenever it took place, and having also consulted friends in whom I have the most implicit confidence, I am fully impressed that the interests of justice and myself will be equally attained by leaving the matter entirely in your hands

I will therefore abandon the idea of employing counsel and trust you will give this subject your attention as early as convenient.

Your obedient servant,

JAMES BEAUMONT

INVESTIGATION INTO CHARGES MADE AGAINST JAMES BEAUMONT, LATE CHIEF GUARD OF CENTRAL PRISON

13th October, 1876

WILLIAM STRATTON PRINCE, sworn.—Am Governor of the Central Prison, was appointed in July 1873, formerly for fifteen years chief of police for City of Toronto

As far as my memory serves me Mr Beaumont never reported to me He may have done so on a few occasions The Deputy Chief Guard made the reports.

Things came out in the investigation held by Mr Langmuir in the fall of 1875 which proved that Mr Beaumont was cognizant of conduct detrimental to the interests of the Institution such as wrangling and quarrelling on the part of the guards and did not report to me. I may state that he never reported an officer to me The guards did in the guard room as his presence just what they chose such as walking up and down the guard room, whistling singing at night He himself would also do this the guards wrangling in an unseemly manner without check leaving the Prison for hours together when in his charge. One night the Deputy-chief Guard was returning to quarters at half past seven unexpectedly, as he was coming off leave. The hospital bell rang, and he, finding it not replied to by the officer on duty (Mr Beaumont), went up himself and found the patient much worse.

I put in letter marked 'A,' containing the statement just made as well as other charges, and would state so far as want of discipline in the guard-room is concerned, they were reported to me by others

On the evening of the 7th March last, while taking the evening count, I considered the Chief Guard to be so much under the influence of liquor that if I had not received his dismissal I should have suspended him I considered the Chief Guard under the influence of liquor past one o'clock in the morning, on the occasion of the accoutrement of prisoner Speakman, on 28th September, 1875 He was instructed to have relieved the Deputy Chief Guard at midnight. I found that it had not been done, and I went for the purpose of finding out

where the Chief Guard was I found him asleep on his bed I called him up and sent him to duty.

I questioned the Deputy Chief Guard as to the cause of his leaving without being properly relieved He stated he had called to the Chief Guard and could get no answer he said the Chief Guard was lying on his bed When I say under the influence of liquor, I do not mean that he was intoxicated for duty but that, as Chief Guard, he should not have been in the state I found him I have frequently noticed that Mr Beaumont was under the influence of liquor in the day time, but he was not drunk It came under my notice that he would at times leave the prison keys in the office instead of being placed in the armoury I found the keys one night in the drawer in my office, and the drawer not locked.

Statement A " put in by me, is correct as far as matters came under my personal notice, and when it refers to matters not coming under my personal observation, is correct as reported to me

W S. PRINCE.

RICHARD STEDMAN, sworn —Am Acting Chief Guard , held the position of Deputy Chief Guard up to 8th March last. I have seen Mr. Beaumont under the influence of liquor several times. The first time I saw him was at mid-day meals, about seven or eight months after the Prison opened. I went up to my room to find the Chief Guard, and found him lying on the lounge in the room. I asked him what was the matter and he replied he felt sick and told me to go to the Hospital and get the Hospital Guard to give him something I can t say what it was, I brought it down and gave it to him put a rug over him, and he went to sleep I judged by his manner of speaking his appearance, and the smell of liquor, that he was intoxicated

Another time, in June, 1875 —I cannot give the date —he was sitting in the corridor as I passed through Mr Newton was present, I thought Mr Beaumont was intoxicated and called Mr Newton s attention to it it was between three and four o clock in the afternoon The night that prisoner Spackman hid himself away, in September 1875, I found him at midnight in his bedroom lying on the bed I went up to him and spoke to him He sat up in the bed and said he would be out in a minute and relieve me, thought he was intoxicated from his appearance and the smell of liquor I have seen him several times more or less under the influence of liquor generally towards the evening

On one occasion last year, I can t state the day or month —he rang the prisoners down from their cells to tea at twenty minutes to six, his appearance at that time indicated that he was intoxicated.

The rules and regulations put in, marked B were approved of 1st June, 1874, and the rules, &c., marked ' C ' were approved of 19th April, 1875 I have heard whistling and singing in the guard room several times, and have heard Mr Beaumont himself whistle and sing in the guard room, have reported several times the singing and whistling on the part of the guards latterly I ceased reporting as nothing was done to stop it. I have frequently when in my room, heard the guards disputing and talking loud in the guard room. Mr Beaumont being present and on duty I don t know that I knew the guards to discuss pol tics in the guard room in Mr. Beaumont's presence. Guard Wall came home drunk one night, I cannot state the time, and was not reported by Mr Beaumont. Mr Beaumont was in the guard room and on duty when Wall came in. Wall was so drunk that he got up and made his water on the bed next to him. On the afternoon of the 14th July, 1875 I came through the corridor and found a prisoner named Newbold under the influence of liquor I told him to go up to the hospital , he refused to go, stating that the Chief Guard told him to stay down I then put him up to the hospital , I reported him to Mr Beaumont as being drunk Mr Beaumont ordered him to be placed in the dark cell until the return of Captain Prince , it was my night off duty and when I came back I was told by one of the guards that Newbold had been taken out of the dark cell up to the hospital I spoke to Mr Beaumont about it the next morning and said I did not think it was right ; he told me that he was Chief Guard and that I had nothing to do with it , I told him I would see the Warden about it. I spoke to the Warden about it who ordered Newbold to be placed 56 hours in a dark cell for that and another offence, which other offence was fighting with prisoner Stanlan

At different times, I have been off duty, and Mr. Beaumont supposed to be on duty, known the guards to be absent who should have been on duty , for how long, I cannot say : one night

at ten minutes past nine, I saw Mr Beaumont, who should have been on duty Guard Dougherty and Guard Bollard coming out of Higgins' tavern, I cannot remember the day or month; it was about a month or two before Bollard was dismissed, I did not report it

Adjourned until 2 P M

Resumed at two P M —Evidence continued

R. STEDMAN —I came home one night in April, 1875, I heard some knocking up stairs at the hospital gate, and finding it continue, I got up. I went to the hospital and found prisoner Philip Williams, who had taken an overdose of medicine, lying on the floor I went to the guard room to find the Chief Guard Mr Beaumont; could not find him in the guard room I then went to the office and he was not there I then went back to the prisoner and got him on to the bed; between half past nine and ten Mr Beaumont and the hospital guard came to the hospital Mr Beaumont should have been on duty that night as it was his night on and my night off. When I came home there was no officer in charge owing to Mr Beaumont's absence

I have frequently come home at nights, when Mr Beaumont should have been on duty, and found that he was absent. I know he was not in, as he would afterwards come into the prison This would take place sometimes when Captain Prince was away On the sixth June, 1875, I reported Guard Henry Longman for being absent without leave, and for being unfit for duty from the effects of liquor The entry in the officers misconduct book now produced, was made by Captain Prince on my report The Chief Guard had passed him, Longman as fit for duty, and marched him off for duty Guard Longman came to me with his rifle in his hand, and said he was not fit for duty, that if he went on the wall he would fall off He was not such he was drunk, he had been out all night. Mr Beaumont came to my room, I told him that Longman was drunk he called him back to the guard room and think he sent another guard in his place. I reported to the Warden and he was dismissed forbeing drunk

Orders issued by Captain Prince are written in the order book, and the rules require they should be read to the Guards by the Chief Guard, on several occasions this was not done. I cannot name them now except one, when Guard Newton was to take my place during my absence on leave. This order I was informed by Guard Newton was not read. I have seen the keys lying in the drawer in the office and the drawer not locked, keys leading into the prison proper and from there out into the yard. I did not report it. The keys were not in my charge and having been told by Mr Beaumont on other matters that it was none of my business, I did not interfere with the keys. At the evening count, the keys are collected by the corridor guards before the Chief Guard and then placed in the armoury As acting Chief Guard my duty is to see that the front door key and all other prison keys are locked up in the armoury About the 12th January 1876, prisoner Page was about being discharged, and I discovered that his time was not up—from Guard Gifford I reported to Mr Beaumont, and on examination of the register he found that his time was not up and sent him back, his time was up on the 20th January 1876, and he was discharged on the 20th, and Guard Gifford called my attention to fact that prisoner Lynch was discharged before the expiration of his sentence. The entries in the registar and the prisoners discharge book now produced showing that prisoner Lynch was discharged at the expiration of his sentence, are incorrect. The copy of sentence now produced shows that he was to serve eight months from the 21st May 1875, and should have been discharged on the 20th January 1876, and should not have been discharged on the 7th. Prisoner Stephen Collins was entered in the register book as sentenced for two years and that term would expire on the 7th April 1878, the copy of sentence now produced shows that his sentence was terminated on the 27th April, 1876. I have found several irregularities in the Register

Cross examined by Mr Beaumont.

It was the custom when Mr Beaumont was Chief Guard and is now, five minutes before the gangs are marched in to bring the prisoners down who may be in the corridors I have no recollection of ever having entered Mr Beaumonts name on the Report Books, I don't know of any order in existence requiring the Chief Guard to remain in the guard room during the time he is in charge of the Prison the Bursar keeps the keys of his own department, the Warden has three keys, one for the outside grated gate, one for

blind door inside the grated gate, and one for the door leading from the dining hall into the yard; these keys are not locked up in the armoury, but are kept by the Warden.

Page was admitted into the Prison on 2nd February, 1875.

Lynch on 28th May, 1875

Collins, on 3rd June, 1874

RICHARD H STEDMAN

EDWIN NEWTON sworn.—I was appointed Guard 5th July, 1874, have acted as Deputy Chief Guard since 8th March, 1876. About September, 1875, Mr. Beaumont came into the north wing and sat down and was talking about some matters connected with the north wing; Mr Stedman came in, and in a few minutes afterwards Mr. Beaumont went out, after he went Mr Stedman remarked to me that Mr Beaumont had just about as much as he could carry, I did not see anything in Mr Beaumont's appearance or in his conversation that would lead me to believe that he had got as much as he could carry, or that he was intoxicated

I recollect the prisoners were formed up one day about twenty minutes before the regular time, I saw Mr Beaumont before six I thought he was sober, he was certainly confused, and there seemed to be something wrong.

Cross examined by Mr. BEAUMONT.—Since I came to the Prison, up to March, 1875, when an investigation took place I never saw any signs of drink on Mr Beaumont, after that, I did at different times, see signs of drink on him; but in my opinion he was always fit for duty. I could not see any difference so far as his attention to prison duties were concerned, I have never known that Mr. Beaumont absented himself from the Prison when he ought to be on duty. The evening before Mr Stedman went away on leave, Mr Beaumont came to me and said the Warden had put me in orders to perform Mr. Stedman's duty during his absence, and that in addition, the Warden required me to take charge of the north wing. I have never, myself, when not in the guard room heard Mr Beaumont either singing or whistling in the guard room; I have, when in the guard room with Mr Beaumont heard him humming a tune and whistling—but not loud and not to interfere or disturb any one in the guard room or prison. I don't recollect that Mr Beaumont neglected at any time to collect the keys at evening count.

E. NEWTON

DANIEL CUNNINGHAM, sworn.—I am cook and baker of the Central Prison, I was appointed on 8th May, 1875, I remember the Warden being called away to attend his brother's funeral in July last, the night the Warden was expected home, I saw Mr Beaumont standing first at the Warden's door, and then at the south door of the Prison, I thought he was under the influence of liquor, I did not speak to him. I judged from his appearance. I cannot state the time; it must have been after eight o'clock in the evening.

D CUNNINGHAM.

DANIEL KIRKPATRICK, sworn.—I am Prison Guard, I was appointed on the 11th September 1875, on the 12th February 1876 I saw the late Chief Guard, about 8 30 p.m., he was strongly under the influence of liquor; he was on duty, his appearance and manner led me to believe him strongly under the influence of liquor, a little before ten the same evening—I saw him, and he was drunk; I saw him going into his bedroom and he staggered, he should have received the keys from me and other guards, but did not as Guard Dean received the keys no person but Guard Dean was present; I never saw Beaumont drink any liquor in the Prison grounds. I have seen Mr Beaumont at the front gate of the grounds when on duty. I have seen him go out of the building, when he was on duty, but whether he absented himself I cannot say

Cross-examined by Mr. BEAUMONT

I don't remember of hearing Mr Beaumont whistling. I said it was the duty of the Chief Guard to receive the keys at night, I judged so, as it was the constant custom then and is so still

DANIEL KIRKPATRICK

SAMUEL DEAN, sworn.—Am Prison Guard; was appointed in May, 1870; I remember the 12th February, 1875; I saw the Chief Guard that night; I was guard on duty in the guard room; at ten o'clock at night I went to Mr Beaumont's room and found him in bed and asleep. I tried to wake him; I wanted to tell him I was going to lock up the front doors; he did not wake up, I then went down and locked the front door, and there received from Guard Kirkpatrick the key of the south corridor door, and locked the grated door and kept the key. I went to go into my own room, and by that time Mr Beaumont was up, and he stood in his bedroom door, and he asked me if I had locked up, I could not say whether he was under the influence of liquor or not, I saw Mr Beaumont on the 21st June, 1875, on the day of the escape of the prisoner from the rear grounds, Mr Beaumont was on duty, I saw him after ten at night; I was south corridor Guard at the time; I thought he was under the influence of liquor, I judged so from his general appearance and conversation; that night Guard Hardie, who was night guard, was out of the Prison; I let him in at half past twelve; when the bell rang; I thought it was the Bailiff, with prisoners and on going down, found it was Hardie, he should have been on duty from six p.m., I did not know he was out until I saw him at the door.

Cross-examined by Mr BEAUMONT:

I never knew Mr Beaumont to whistle or sing in the guard room to such an extent as to attract the attention or disturb the guards, I never heard any wrangling or quarrelling in the guard room when Mr Beaumont was present, during the time he was Chief Guard.

S. DEAN

Adjourned till 10·30 to-morrow.

Investigation re-opened, Tuesday, 31st October, 10·30 a.m.

Mr Beaumont called Captain Prince.—Captain Prince produced officers' offence book, in which, on 12th June it appears that Chief Guard Beaumont reported the following officers:—1st, Alfred Elliott 12th June, 1872; 2nd Michael English, on the 26th October, 1874; 3rd, William Dougherty, 9th October 1874; 4th, Daniel McCarty 31st October 1874; 5th, John Stewart 24th October 1874; also, same person, 25th October, 1874; 6th George Muller, February 13th, 1875; John Powell, 19th February, 1875. Michael English, 28th June, 1875. Order book produced. In order issued 12th April, 1875 the following order appears:—"The Chief Guard shall reside upon the premises, occupying the room set apart for him in the guard room which is the south room."

The following order appears under date of August 17th.—"Persons are not to be allowed to loiter and wait about the prison grounds and offices, with a view of seeing the Warden or other Prison Official; in case the presence of the officer inquired for is not at the time available, the inquirer is to be instructed by the guard to leave a message or memorandum as to his business, and then leave."

W. S. PRINCE.

WILLIAM HARDIE, sworn.—Am night guard and stoker for the Central Prison, was appointed two months after the prison opened. I remember the 21st June 1875, when three prisoners escaped from Guard Mansell. I was sent by Deputy Chief Guard up to the field to assist in finding them. I joined the Warder a party on the other side of the field. The Warden instructed me to proceed after them, and that he would return and search an orchard close at hand; this was between seven and eight o'clock in the evening. I returned to the prison about 12 o'clock.

WILLIAM HARDIE

WILLIAM GIFFORD, Guard, sworn.—Am Prison Guard, I was appointed at the opening of the prison. I never heard the Chief Guard whistling and singing in the guard room in such a manner as to disturb the guards. I never knew Mr Beaumont when on duty to allow quarrelling and wrangling amongst the guards. I remember one occasion in which a pistol was found in a prison cell. I paraded that morning with a

pistol, I had Guard Umlake's pistol. About ten minutes after the parade, I went to Mr Beaumont and told him the pistol found in the cell was mine. It is the custom for the Chief or Deputy Chief when on duty to lock the front gate of the grounds at night. I remember the guards giving a party at the Fort, Mr Stedman was present he was the officer on duty that night

WILLIAM GIFFORD

HENRY EAMES, sworn.—Am Prison Guard was appointed at the opening of the prison. I never knew the Chief Guard to whistle or sing in the guardroom in such a manner as to disturb the guards. There was wrangling at one time between Mr. Stedman and Doherty, but the Chief Guard was not present. I never saw any wrangling when Mr Beaumont was present. It was the custom of the Chief Guard or Deputy Chief Guard when on duty to lock the front gate of the grounds. The locking of the corridor gates was often left by the Chief Guard and Deputy Chief Guard to the guards on duty in guard-room, in such cases the keys were taken in the armoury, the small keys taken to the Chief or Deputy Chief Guard and a report made that all was locked and correct. I never saw the Chief Guard unfit for duty through drink

H. EAMES

FREDERICK HILL, sworn.—Am Prison Guard, was appointed about March 1875. I never knew the Chief Guard to whistle or sing in the guard room in such a manner as to disturb the guards; I never knew the guards to quarrel or wrangle in the guard-room when the Chief Guard was present, without being checked. It was the custom of the Chief or Deputy-Chief Guard to lock up the gate at the front of the grounds, when on duty. I never saw the Chief Guard unfit for duty through the influence of drink

FREDERICK HILL.

HAMILTON LYONS, sworn.—I am gate guard; I was appointed at the opening of the Prison. I never heard Mr Beaumont whistle or sing in the guard room in such a manner as to disturb the guards, whenever there was any wrangling in the guard room, if Mr Beaumont was present he checked it. I remember the 7th March last, Mr Beaumont paraded Wall Guards as usual, on that occasion he was not the worse of liquor, I never saw him the worse of liquor.

HAMILTON LYONS.

THOMAS SHORT, sworn.—Am Bursar for the Central Prison was appointed at the opening of the Prison. Up to about April, 1875, I computed all the sentences. I entered them in pencil in a book, and also made an entry on the back of the papers from the entries made by me in pencil, Mr Beaumont copied into another book in ink. We frequently compared them, I made the entries from convictions—any information contained in the convictions I entered. I entered the termination of sentence as being the same day of the month as the date mentioned in the sentence; I was directed that the sentence must be made one day sooner, which caused several erasions in the book

Adjourned till 4 p.m.

THOMAS SHORT

Resumed at 4 p.m.

CAPT PRINCE, Warden of the Prison, recalled.—The copy of a letter to the Inspector from me, bearing date 17th April, 1876, and marked "C" now put in.

(Copy of Letter marked "C.")

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO.
TORONTO April 17th 1876.

SIR.—I have the honour to inform you, that upon my discharging prisoner James Brown on the morning of the 15th inst. the sum of $18 belonging to the prisoner and which *was supposed* to have been placed with the purse and pocket-book in an envelope by the late Chief Guard, he having endorsed the envelope to that effect, was not forth-

coming. [Endorsement—Received $18, the property of a discharged prisoner, Jas. Brown, not forthcoming] James Brown was transferred from London Gaol to the Central Prison on the 21st August, 1874 and at that time Mr Short registered the prisoner's property and having handed it over to the Chief Guard, the latter placed it in a parcel, or envelope, and after endorsing the same, deposited it in the safe. From the mouldy appearance of the package, it is evident that it has not been opened, or moved since it was placed in the safe; and it is also very evident, that although the envelope was endorsed by the late Chief Guard, as follows—

"No 262, 'James Brown,' leathern pocket-book, 2 purses $18 65, the $18 were never placed in the envelope He (James Brown) being a two years man I of course paid the owner $18, and I trust, under the circumstances, the Government will authorize my being reimbursed."

Your obedient servant,
W S PRINCE,
Warden.

Which contains a true statement of the facts alleged therein, Mr Stedman went to the safe for the package referred to in letter "C," I was in the office at the time; it was all covered with mould; had three or four India rubber straps round it, I saw it opened.

Cross-examined by Mr Beaumont.—It is not customary for Mr Stedman to open the various packages belonging to prisoners in my presence when they are discharged but he always shows it to me, I always see the money, there were no money packages given out, so far as I recollect, between 8th March and 16th April

W. S. PRINCE,
Warden

THOMAS SHORT recalled.—I remember the prisoner James Brown, I always counted the money found on prisoners; I remember counting the money found on James Brown I placed it in the package after counting it—$18 bill 65 cents American scrip, 3 cents silver, pocket book in in my hand writing the other writing is Mr Beaumont's, the book produced is the prisoner's property and receipt book to use at it at date; the entry "262 James Brown two leather pocket books—$18 bill, 65 cents American scrip 3 cents American silver was made by me; I put the package in a tin box I had for the purpose, and locked it up, in January, 1875 there was no order for me to hand over all prisoners property to the Warden and I complied with the order I took the book and handed it over to Mr Beaumont, package by package; I can't say that I opened this particular package on delivery to Mr Beaumont I am satisfied the money was there when I handed it to him; I have no doubt.

THOMAS SHORT

CAPTAIN PRINCE re-examined.—I have no doubt the package could not have been opened within six months of the time I saw it, as it was all covered with mould, and in taking off the rubber bands the marks were well defined.

W S PRINCE

Mr Beaumont states that he got the package referred to from Mr Short, that he has no doubt the money was in it at the time, he has not seen the package since until to-day he did not touch any of the packages received from Mr Short, unless the prisoner owning the same was being discharged; he put all the packages received from Mr Short in the safe, and believes they were there when he left.

Attest
S C WOOD.

CAPTAIN PRINCE, recalled.—Had I known there was any large sum of money I would have checked the contents of the package with the book at the time Mr Beaumont left

W S PRINCE
Warden

RICHARD STEDMAN, sworn.—I searched for the money registered as belonging to prisoner James Brown, at the time of his discharge, previous to this, I knew nothing

about the money, the first I heard was when he was leaving, this was the first money of any consequence that was asked for by any prisoner after Mr. Beaumont left, up to that time except a few and then a few five cents, the package was moulded and bore the appearance of not having been opened for some time, I have never received instructions to write for money and there has been no money to write for, that I know of since Mr Beaumont left, Mr. Newton and myself had charge of the key of the safe Mr Newton only having charge during my absence

RICHARD H STEDMAN.

CAPT PRINCE, recalled —I put in letter marked "D"

(Copy of Letter marked "D")

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 5th May, 1876

To the Inspector of Prisons

SIR, —I have the honour to report to you the following information obtained by me connected with the sum of $12 87, the property of prisoner Frederick Willis, which is missing since the dismissal of the late Chief Guard, prisoner Frederick Willis stated that there was $12 87 belonging to him in the prison Being aware that the sum of only $1 00 was in his possession at the time of his transfer which was duly registered in the property book, I referred to that book and found a memorandum in pencil inserted underneath the original register as follows, "A parcel from Hamilton" This must have been written some months after the transfer of Willis. The parcel not being forthcoming, but only $1 00 as registered I sent for the prisoner Willis who made to me the statement annexed, and marked "A" after getting this statement I wrote to the police officer who arrested him a copy of which letter is herewith annexed and marked "B," to which communication I received the following replies marked respectively "C," and "D" I recollect the late Chief Guard applying to me for leave to proceed to Hamilton one day and alluded to obtaining information about a prisoner named McCulloch, who had made his escape In the interest of justice this man Beaumont should be prosecuted, and I think the best mode of proceeding would be for the prisoner Willis to lay an information against him before the Police Magistrate, upon a charge of embezzlement, or for larceny both stealing taking, and carrying away

I have the honour to be, SIR,
Your obedient servant,
W S. PRINCE,
Warden.

It was addressed by me to the Inspector on the 5th May, 1876, contains a true statement of the facts alleged therein The letter marked "E," now put in :—

WARDEN'S OFFICE, CENTRAL PRISON,
May 1st 1876

To M J McMenery, Police Force, Hamilton.

SIR —I shall feel obliged by your informing me under what circumstances did Mr Beaumont, the late Chief Guard of the Central Prison receive a sum of money from you in February 1875 the property of Frederick Willis? Whether you paid it to him personally; and if so, when did the payment take place and whether he applied to you for the money?

Be good enough to inform me of the particulars of the case?

Your obedient servant,
W S PRINCE,
Warden, C P

Is a true copy of a letter I addressed to Sergeant McMenery, on the 4th May, 1876. The letter marked "F" —

HAMILTON, May 2nd, 1876

Capt. Prince: Central Prison, Toronto.

SIR —James Beaumont, Chief Guard, Central Prison, called at this office on the 8th February, 1875, and told me that he was authorized by Fred. Willis to get from me the money and other property I had belonging to him (Willis). I gave Mr. Beaumont twelve dollars and eighty-seven cents and some other small articles of Willis's for which I took Mr Beaumont's receipt, which is attached to the receipt book in this office.

I remain, yours respectfully,

A. McMENEMY.

In the reply I received from Mr. McMenemy, and the copy of a receipt—

"Received from A. McMenemy $12 87 purse and pair of tweezers property of Fred Willis.

'JAMES BEAUMONT,
Chief Guard, Central Prison.

"8th February, 1875"

In the one referred to in Mr McMenemy's letter, and was enclosed in his letter

Statement now put in marked 'E' —

"Frederick Willis, prisoner, Central Prison states as follows —

"Two Detective Police Officers arrested me in the Market Hotel, Hamilton on the 19th August, 1874 They searched me in the Hotel and took from me a small leather wallet containing $12 87 The officers took possession of it and stated they would forward it to the gaol. I was transferred to the Central Prison with one dollar on my person I mentioned the fact of the police having my wallet and money, to the officer in whose charge I was transferred (Mr Steelman) Shortly after my arrival at the Central Prison I spoke to Mr Beaumont about the money He said he would write for it. After some weeks had elapsed, I spoke again to Mr Beaumont, who stated that he had not received an answer, but that he would write again A few days after this Mr Beaumont told me that the Chief of Police at Hamilton had the money and that it would be forwarded here, and in about a week after the information, Mr Beaumont told me in the dining hall that he had received the money

"F P WILLIS"

was made by prisoner, F P Willis, the owner of the money while a prisoner I think it was the acting Chief Guard who stated that Willis was complaining that money had been kept from him and knowing that only one dollar was found on Willis at the time he entered the prison, I sent for him and the result was the investigation I never heard of the money until this summer and never gave any instructions to Mr Beaumont to go to Hamilton to get money, nor to write for any money I never received by express or mail any money for Willis I don't remember ever receiving any money by mail from a Court or a police officer for a prisoner

I knew by the register that there was a dollar belonging to him and on opening the package found the dollar I produce the prisoner's property book in use at that time in which the registry "No. 261 Frederick Willis, bill one dollar (in ink) then beneath, in the writing of Mr. Beaumont, I think in pencil the following —" and parcel from Hamilton (I never saw the parcel)

W S PRINCE

Mr BEAUMONT states —I received the money, placed it in the safe with the envelope containing the one dollar as registered the packet was neatly done up — the date I received the packet was 8th February, 1875 I made the entry on the property book in pencil, to distinguish it from the entry made by Mr Short the statement by prisoner Willis is correct in every particular at the time Willis told me about the money being in Hamilton, I repeated it to the Warden, who told me to write for it, when I got the money I must have reported it to the Warden,—I can almost swear to it.

(Attested) S. C WOOD.

RICHARD STEDMAN recalled.—Some time after Mr Beaumont left, prisoner Willis told me to give a prisoner going out two dollars, I told him it was not allowed, a prisoner not discharged could not give his money to another prisoner. Some time after he asked me again if he could get his money to buy some clothes, I said, What money? He replied, Twelve dollars in the safe. I said, You have no such money, Willis, all you have is one dollar. he said he was sure he had, as Mr Beaumont told him at dinner table one day that he had received a note from the Chief of Police at Hamilton, with his money. I reported this conversation to the Warden, between the time that Willis asked me first and his second conversation; I went to the pigeon hole and brought out to the Warden all there was in the safe which was a yellow envelope and one dollar

RICHARD H STEDMAN

Investigation continued, 3rd November, 1876 4 p m —

ALEXANDER MCMENEMY sworn.—Am sergeant in the police in Hamilton, I know Mr Beaumont I first saw him in the Central Prison I was in the Prison on two occasions I once took a prisoner from here to Hamilton. I saw Mr Beaumont in Hamilton on the 8th February, 1875, that may not be the correct date; I believe it to be the correct date I saw him in the afternoon, in the neighbourhood of five o'clock at the police office in the City Hall he mentioned something about a prisoner who had escaped, and told me that Willis had ordered him to bring the money I had belonging to him, down to the Central Prison I gave Mr Beaumont the money, it was a ten dollar bill a two dollar bill a sixty cent piece, and a twenty five cent piece, a penny, a purse with a clasp on, and a pair of tweezers, I got him a sheet of paper, and he wrote the receipt I now produce on my receipt book; it is known as a receipt book, and is kept for the purpose of taking receipts for moneys or property coming into the hands of the police, and delivered to the owners The following is a correct copy of the receipt referred to —

"Received from A. McMenemy, twelve dollars and eighty-seven cents, purse, and pair of tweezers property of Fred. Willis.

'JAMES BEAUMONT,
Chief Guard, Central Prison.

"8th February, 1875'

Previous to saying that Willis ordered him to get the money he asked if I had any money belonging to Frederick Willis and I said I had; there were three or four policemen present when I gave him the money Detective Rossean was one I have not seen Mr Beaumont since until to-day, I never sent a parcel by post of that description in my life, if I had sent it by post, I would have registered it if a letter had been sent, asking for money to be sent to the Central Prison, in all probability it would be on the file kept by the Chief of Police

A MCMENEMY

Adjourned until Tuesday the 7th instant.

Investigation resumed 7th November, 1876 3 p m —

Mr Beaumont put in statement marked 'BB.'

STATEMENT OF JAMES BEAUMONT, late Chief Guard, Central Prison of Ontario.

TORONTO 3rd November, 1876.

1st. In answer to the Warden's charge of being frequently under the influence of liquor I deny it; the evidence confirming such statement emanating from Mr Stedman only whose motive in supporting the Warden to secure my removal was always apparent. The only particular instance which the Warden gives, and states was clearly observable, and remarked by the guards, having been denied by the first witness called upon after Stedman who, it is shewn, never spoke to me. The evening of the 7th March 1876 being subsequent to the preferment of the charges upon which my dismissal was based

should not be entertained in supporting this charge; anyhow, it has been denied by evidence upon oath. Guard Kirkpatrick's evidence of one instance included in the charge, is clearly untrue, as he states he saw me at 10 o'clock. Now it has been proved I did not come outside of my room at 10 o'clock at all. It was impossible for Guard Kirkpatrick who was locked in the corridor to see me. Moreover, Guard Dean, who spoke to me swears he could observe no such sign. The evidence of the cook and baker is, to say the least, unreliable, inasmuch as he states he saw me but did not speak; and that was while I was standing under a portion after 8 p.m. in a place where there is not a single outside lamp. Emphasis seems to have been put on the fact of my being on my bed at midnight when prisoner Spackman was missing. It should be observed that until I was called, the bed was my place. I distinctly deny having tasted liquor on that day.

2nd. The Warden's charge—that I "never reported an officer since my appointment to office" has been so clearly established to be false by his own hand writing in the officers' offence book, which shows no less than 8 cases—as to require no comment.

3rd. The charge—that I was in the habit of whistling and singing in the guard-room and allowing guards to wrangle and quarrel without check, I most emphatically deny, and have proved its falsity in every respect, no guard having confirmed the statement, but on the contrary, all denying it.

4th. The Warden states I would leave the Prison when in charge and remain away for hours together. This assertion which I most positively deny ever having been guilty of, on any single occasion, has also been rebutted by every evidence except that of Stedman, and he only says he saw me off the grounds on one occasion, and then in company with two guards, viz., Bellard and Doherty, the names of these two guards having obviously been selected as they have left the Prison, and their whereabouts unknown. It should farther be remarked that although Stedman says, on the occasion referred to he knew I was on duty, he admits he did not take any notice of it at the time; neither can he, in this, as in most other cases, give any idea of the date. The statement itself is entirely uncorroborated, and most decidedly false. With respect to the case of the man in the hospital being taken worse, and myself not forthcoming, it will be noticed that it was in April, 1875 long previous to the time I was first ordered to sleep in the Prison and up to which time I always left the premises immediately as Stedman's return, he states himself he was in bed at the time, therefore, it is perfectly certain I had left as we were never on the premises together at night, prior to the issue of the order above referred to, on the 12th April, 1875. The Warden states he would bring reliable witnesses forward to prove this practice being of constant occurrence, and although every opportunity has been afforded him to do so, he has not only entirely failed, but the assertion is contradicted.

5th. With respect to my not having missed a pistol, which should have been worn by a guard on parade, for 18 hours afterwards, the statement is not only false, but entirely one of hearsay evidence. The guard in question, having sworn that he did wear a pistol on parade, and informed me of his own being missing ten minutes afterwards, further, I was myself in possession of the pistol in question before parade took place.

6th. The Warden has also been entirely misinformed respecting Guard Langmead, as I am prepared to swear. I never paraded him for any duty whatever that morning, which the letter herewith enclosed will show, and which fact can be further proved if necessary.

7th. With reference to certain scandalous behaviour on the part of the officials of the Prison, which was elicited on an investigation held by the Inspector of Prisons some time ago, it will be seen by the proceedings of that investigation that I was neither on duty nor in the Prison on the night referred to Stedman being in charge; yet, the Warden asserts I must have been aware of it; the assertion is entirely void of truth and not evidence.

8th. In the matter of the keeping of the register I consider the explanation afforded, the inspection of the books, and the evidence of the Bursar clearly proves to any impartial judge that no irregularity has been fixed on me whatever, the sentences not having been computed by me, but merely copied from the Bursar's entry, in whose charge the convictions were at that time.

9th. The Warden's statement about the contractor and other gentlemen having been informed by me that they could not see the Warden is true, so far as Mr Godson is concerned. This gentleman called up early one morning before the Warden was about, and I informed him of my instructions as per order of the 17th August, 1875 on which he left. Mr God

son will state that the Warden was not in the front grounds at the time, and as he asserts

10th In the matter of the keys, it has been clearly established that, the three keys not locked up, were the three keys in charge of the Warden, and which he sometimes kept in the office and sometimes in the house.

11th Further the charge of my neglecting to communicate the Warden's orders was tried to be supported by Stedman's single evidence, and that hearsay, Deputy Chief Guard Newton swearing quite the contrary on personal knowledge

12th During the course of the inquiry, the Warden endeavoured to establish an act of neglect on my part in allowing Guard Hardie to absent himself from the Prison a portion of the night on the 21st June, 1878 Now it has been clearly established on the sworn testimony of Guard Hardie, and is well known to other guards that Guard Hardie formed one of the Warden's searching party on the night in question, and was ordered by the Warden to continue proceeding westward, about two miles and it was then 8 p.m. Without going further into the details of this matter at present, it must be obvious that the charges brought against me by the Warden stand not only on a large part uncorroborated, but positively refuted. It may have been noticed that, in the evidence of Stedman the most essential point, viz. —The fixing of dates for particular acts, was quite ignored, which cannot be considered satisfactory That my position as Chief Guard was in every possible way made uncomfortable was patent to all, and is also evident from the framing of my duties in the last issue of the by laws, which not only details more work than any one man could reasonably perform, but directs me to be incessantly on duty, day and night. To add to this, I was repeatedly being called upon by the Warden to attend to matters connected with his domestic household which I could not but consider derogatory to the position which I held, and which the accompanying documents will show I believe, this was done to bring my position down to a level with Stedman's, who voluntarily performed such menial offices, as washing the Warden's dogs, assisting to decorate his dinner table &c while he should have been employed on the duties of the prison Having served over 19 years in H M 13th Hussars—17 as a non commissioned officer, without having given a single occasion for the charge of intemperance I consider due care should be shown in accepting the evidence against me from a man who during his service in the police, was not recognized by the public as of temperate habits himself and whose acts of intemperance since his appointment as *Warden* can be proved Taking everything into consideration I respectfully submit that, my dismissal was brought about first, by false statements made to the Warden by an individual who was interested in securing my removal and secondly by the evident desire of the Warden to depose me, leading him to exaggerate and add to their untruthfulness, and upon whose mere recommendation my dismissal was summarily granted in an unjustifiable manner on the grounds that a precedent can be found in the acts of another country In conclusion I consider that the necessary steps as required by existing rules not having been taken, was to act contrary to the law and renders my dismissal unjust and illegal

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(Copy of Letter from Guard Langman, referred to.)

SCHOOL OF GUNNERY
KINGSTON, May 27th, 1876

Mr Beaumont.

SIR,—I am writing this letter for Langman in consequence of his being in hospital and unable to do so himself. On the Monday morning that I returned to the Central Prison a little the worse of liquor I was not paraded by you or passed for duty, but was ordered to remain in the guard-room, that was before I had been on any duty that day The above statement I am prepared to swear as being true. Any further information required in reference to the foregoing I will be most happy to give

I am, dear Sir yours respectfully,

H. LANGMAN

EDWIN NEWTON, recalled.—I recollected a prisoner, a carpenter I think, his name was Clarke, it was either Clarke or Smith, putting up pigeon holes and fittings for books in the safe of the Warden's office after Mr Beaumont had left, it may have been some seven or eight days.

E NEWTON

W. F. ATKINS, sworn.—Am surgeon for the Central Prison, was appointed at the opening of the Prison; I remember in 1875, on visiting the hospital, I was told that a prisoner named Williams, who was in Hospital, had taken an overdose of medicine, the prisoner was over the effects when I came.

Adjourned

Resumed.

JOHN ENGLISH sworn.—Am prison bailiff, was appointed at opening of Prison, about two years ago. I think in July 1874. I was at the Central Prison in the office of the Warden, the Warden handed me a letter to the Chief of Police at Hamilton; my recollection is that it was a letter from Capt. Henery to the Warden, and that the Warden wrote on the other side of Henery's letter the order to send the money here by me, I took the letter to Hamilton, called at the Police office, enquired for the Chief, who was absent. I then told one of the sergeants what my business was, and he referred me to Detective McMenemy, he had the money. I said I had not time to wait, and that I did not know Mr McMenemy, but to tell the Chief to send the money to the Warden, and he would send a receipt.

JOHN ENGLISH

Adjourned

Original Papers referred to in the investigation of the charges preferred against Chief Guard Beaumont of the Central Prison.

HAMILTON, 8th Nov 1876

Capt. Prince,
Central Prison

SIR,—Enclosed please find declaration from Rosseau and Capt. Henery, in the Beaumont matter. I think that ought to convince even Beaumont himself that he is mistaken. I am sorry I could not have sent them sooner

I remain, Yours &c.,
A. McMENEMY,
Serg't

I, John B. Rosseau of the City of Hamilton, in the County of Wentworth, Constable, do Solemnly declare, that Detective McMenery and I arrested Fred Willis together. Mc Menery took possession of his money and things and I saw McMenery pay Fred Willis's money to a guard from the Central Prison in the Police office, in the City of Hamilton. The money was paid to a guard that was making inquiry about a man named McCullough who broke out of the Central Prison, I also saw him, the guard, write a receipt for the money in the Police office at Hamilton.

And I make this Solemn Declaration conscientiously believing the same to be true, and by virtue of the act passed in the thirty-seventh year of Her Majesty's reign intituled "An Act for the suppression of voluntary and extra judicial oaths."

Declared before me, at the City of Hamilton in the County of Wentworth, this 8th day of November, A. D 1876

James Cahill
P M & J P

} John B. Rosseau.

I John Henery of the City of Hamilton in the County of Wentworth, do Solemnly Declare, that in February, 1875 I was Chief of Police of the City of Hamilton. I received a letter from Capt Prince, dated the 27th January, 1875 in reference to Fred. Willis' money, and in the beginning of February I remember McMenery, who was then detective coming into my office and telling me that he had paid Fred. Willis' money to James Beaumont, Chief Guard Central Prison and at the same time producing Beaumont's receipt for the same, which he attached to the receipt-book kept in my office. I am positive the money was paid to Beaumont in the Police office in this city

And I make this Solemn Declaration conscientiously believing the same to be true, and by virtue of the act passed in the thirty seventh year of Her Majesty's reign, intituled "An Act for the suppression of voluntary and extra judicial oaths"

Declared before me in the City of Hamilton in the County of Wentworth this 7th day of November, A D 1876.

J White, Jr

A Commissioner, &c. in B. R. & C. in and for the County of Wentworth.

John Henery,
Late Chief of Police.

19th April 1876

SIR,—I beg to acknowledge the receipt of your letter of the 17th instant, informing me that on your opening an envelope, said to contain the sum of eighteen dollars, taken off the person of Prisoner James Brown, the said money was not found enclosed therein and stating further that such package had been made up and was placed in the care of ex-Chief Guard Beaumont. Before recouping you for the amount which you state you have paid over to the prisoner, I must make further inquiries into the matter with a view of discovering who has been guilty of abstracting the money, in order that such person may be prosecuted criminally

I have the honour to be, Sir,
Your obedient servant,
J W LANGMUIR
Inspector of Prisons.

Captain Prince,
Warden of Central Prison, Toronto.

Extract Conviction—The Procurator Fiscal against James Beaumont.

At Perth, the third day of May, eighteen hundred and sixty-one years. In presence of Hugh Barclay, Esquire Sheriff-substitute of the County of Perth and a jury sitting in judgment in a Sheriff-Court of the said County lawfully fenced and affirmed anent the criminal libel or complaint raised at the instance of John McLean, Procurator Fiscal of Court for the public interest, against James Beaumont, now or lately prisoner in Perth prison, accused of the crime of Theft, or Reset of Theft, of a silver or other metal watch, actor, or art and part. And at calling of said criminal libel or complaint upon the date hereof in presence of the said Sheriff-substitute, compared the panel and the libel having been read over to him and he having been interrogated thereon, he answered that he was guilty of Reset of Theft, as libelled. The Procurator Fiscal accepted of the said plea.

JOHN THOMAS

The Sheriff, in respect of the foregoing judicial confession of the panel granted and hereby grants warrant for committing the said James Beaumont to the Prison of Perth, therein to be detained for the period of one calendar month.

JOHN THOMAS.

Extracted by me
Sheriff Clerk of said County
Where not printed written by Adam McKenzie. Collated by John Thomas.
Signed at Perth, the 13th day of December, eighteen hundred and seventy-one years

CANTERBURY, 25th November, 1876.

From O C Depôt Troop, 13th Hussars.

Imprisoned by Civil Power, for Felony, from 6th April, 1861 to 1st June, 1861.
Tried for Disgraceful Conduct from 2nd June, 1861, to 24th June 1861
Reduced by C M to Private, from 25th June, 1861, to 8th September, 1861

SIR,—In reference to the sheet of private James Beaumont, I find that the entries of convictions against him, are as per margin. You will notice that though there are three entries, the various terms of imprisonment seem to run into one another, over a period of from 6th April 1861, till 8th September, 1861

I am Sir, your obedient servant,
C W POLE,
13th Hussars.

To the Warden Central Prison, Ontario.

The undersigned has the honour to submit for the consideration of Council the evidence taken at the recent investigation into the management of the Central Prison.

It will be remembered that since the dismissal of Chief Guard Beaumont in March last, complaints have been made in regard to the Central Prison, but that as they were supposed to emanate principally from discharged officials, it was not until some time afterwards, considered necessary or advisable to hold an investigation.

Owing to the time of the Inspector being fully occupied, and from other causes some unavoidable delay took place, and although the Government had determined in September, that I should hold an investigation I was not able to enter upon it until the 31st October, since which time, with the exception of two or three days, I have been continuously employed in examining into the affairs of the Prison. I have taken the evidence of all the officers of the Prison and such others outside as were supposed to be able to give any reliable information.

I may state that when the Central Prison was completed, it became necessary to obtain every possible information, not only as to general management, but also as to the mode of punishment of prisoners in similar institutions; and for that purpose the Inspector the Warden, and the Chief and Deputy Chief Guards made separate visits to several of the Industrial Prisons in the United States. I was not then a member of the Government, but after carefully considering the evidence, I must come to the conclusion that, on the part of Inspector and Warden from the opening of the Prison until the present time there has been a determination to establish at the Central Prison, not only the very best prison regulations, but also to adopt such a system of punishment as would enable the officers to enforce discipline, compel the performance of labor and secure order; thereby accomplishing the object the Legislature had in view in establishing that institution.

The most successful industrial institution in the United States both as to prison management and financially, is the Albany Penitentiary, and the system of punishment adopted at the Central Prison is not as severe, as to duration, but in other respects is the same as practised there.

Once having decided as to the kind of punishment, the application and severity must to a great extent be left to judgment of the Warden and the supervision of the Inspector.

While all the Industrial Prisons in the United States have printed rules, none, so far as we have been able to learn, have printed or written regulations as to punishment, the severity and kind of punishment being determined by the practical experience of the officers in charge, or the peculiar ideas entertained by the different Prison Boards or those who have the power to determine. In awarding punishment the Warden is guided by the nature and frequency of the offence, the previous conduct, and the age, health and constitution of the prisoner.

The evidence shows that strict discipline prevails in every part of the institution, that every thing is done to order, and the regulations adopted by the Inspector for the management of the Prison have proved most effective.

It was impossible to foresee all the difficulties surrounding the management of the Prison, and the rules have been from time to time amended as experience was obtained.

We have over three hundred and thirty prisoners in the Central Prison, a large proportion are criminals of the worst kind, some have served a term in the Penitentiary at Kingston, others in one or more of the prisons in the United States, others again are serving out a second or third term here. For the protection of the officers, for the safety of the Prison for the proper carrying out of our contract with the Car Company, and in the interests of justice (if the Prison is to be considered a place where crime is punished), it is imperatively required that strict discipline be enforced

Laxity of discipline would result in insubordination and mutiny; our guards over powered, and the danger of our three hundred criminals being let loose on the country

On the other hand, if we expect the prisoners to work obey the guards, and be subservient to prison rule, the punishment of an offence must be prompt, and of such a character as the nature of the offence and the surrounding circumstances require

Before arriving at the conclusion that the punishment awarded in any instance by the Warden has been unduly severe it is necessary to consider all the facts, and as I shall have the honour in a short time to submit a full report on the mode of punishment in the Prison, and as far as possible, in similar institutions in the United States, I will defer giving any opinion as to the system adopted, or the punishment awarded until then

If there has been an error on the part of the Warden, in awarding punishment, I am satisfied it has not been of a serious character, and has been from no inclination on his part to be unnecessarily severe; but rather from a natural anxiety to preserve the discipline of the prison. The activity and intelligence of Mr. Stedman may have induced the Warden to throw upon him more responsibility than should be entrusted to a subordinate Mr Stedman formerly Deputy Chief Guard, and for the past few months the acting Chief Guard, is an active, intelligent brave, determined man and a strict disciplinarian. The Superintendent of the Albany Penitentiary in a letter dated May 20th, 1874, addressed to the Inspector, says "Mr Richard Stedman has, for the past month been with me, making himself acquainted with the various duties of the different prison officers, and it affords me pleasure to state that I consider him well adapted and qualified to fill any position connected with a prison. I do not think I have ever met a man (not brought up to the business) who possesses as many of the qualities necessary to the proper discharge of the duties of a deputy warden as Mr Stedman"

The Prison Surgeon —Dr Aikens—who visits the prison daily, and is in constant communication with the acting Chief Guard, speaks in high praise as to his ability as a prison official and states that he does not believe him to be a cruel man The Warden of the prison also in his evidence, gives Mr Stedman a high character and says that he (Stedman) "has been the support and mainstay of the discipline of the prison" While the evidence proves that Mr. Stedman is in many respects a good officer, it also discloses the fact that he has been unnecessarily severe in the treatment of prisoners. Having heard that I had come to that conclusion, he has placed his resignation in the hands of the Government, which I recommend should be accepted.

I have much pleasure in stating that the reports as to guards being unfairly treated by the Warden, and Chief and Deputy Chief Guards on account of their religion are untrue.

All the guards have been questioned on this point and their reply invariably was, "We have not seen any difference in the treatment of the guards on account of their religion"

Every opportunity was given to the different persons examined to make a full statement, each being assured that the evidence he might give would not affect his position in the prison. It is due to Captain Prince, I should state that there has not been any evidence given reflecting in any way on his personal character, and I feel bound to add that the present state of the prison and the discipline in force there are highly creditable to him as Warden; and it must be gratifying to him, as it is to me, that, after an exhaustive and searching investigation nothing has appeared reflecting on his management of the prison further than might be charged against any efficient warden and strict disciplinarian

Our Central Prison is second to none in America, its management is equal to any, and much of the credit of its success must be attributed to Captain Prince.

Respectfully submitted,

S. C. WOOD,
Provincial Secretary.

Toronto, 16th November, 1876.

TORONTO, 17th August, 1878

SIR,—Certain rumours have come to my ears, and doubtless have also found their way to members of the Government, which cannot but seriously affect the characters of some of the officials of the Central Prison, if not my own as Inspector, and what is of still greater importance, from a Government stand point, are calculated to do serious injury to the prison itself, as one of the Institutions of the Province. It is true that these rumours have, so far as I can discover, been set afloat by persons who have been dismissed from the prison service, or by dissatisfied officials now in the service, and should therefore, under ordinary circumstances, and nearly always be taken '*cum grano salis*,' still I am of opinion that a full and searching inquiry should be made into all the rumours as I reports that are so prevalent, and into all matters connected with the management and discipline of the prison.

As I am informed that one of the charges preferred against me is that I have favoured certain officials in previous examinations, and in my capacity, generally as Inspector, I would strongly recommend that, in the interests of the prison and all concerned, the examination be conducted by two members of the Administration. This seems to me to be the more necessary as I have recommended for promotion and advancement, one of the officials whose character is most seriously assailed by these rumours.

I am,
Your obedient servant,
J W LANGMUIR,
Inspector

The Hon. the Provincial Secretary

INVESTIGATION into the General Management and Discipline of the Central Prison, held in the office of the Central Prison commencing on Tuesday, 31st October, 2 P M

THOMAS SHORT, sworn.—Am Barber of the Central Prison. At the opening of the 1st situation I had charge of the stores, the Chief and Deputy Chief Guards especially the latter, were overbearing and arrogant in their treatment of me—they would come into my office at irregular hours, and demand the delivery of stores—sometimes verbally and sometimes on slips of paper without regular requisitions; at that time there were no forms of requisition; these demands were made in an overbearing disagreeable manner, I cannot recollect the language or specify the time; when I objected I was told by the Deputy that it was done under the orders of the Warden and that he knew no other authority; a copy of rules were prepared and handed to me by the Chief Guard by order of the Warden; he said they were for the guidance of the officers—myself included, I have nothing to complain of now as to the arrogant manner of the guards referred to, or as to the delivery of stores, I took a copy of the 'Rules' to the Inspector who told me that the officers complained of had nothing to do with me whatever, after that, especially after the delivery of the store was handed over to the Steward I experienced no open hostility, but was told by the Prison Bailiff that the Deputy said in the office that the Chief would soon occupy my chair—and that he the Deputy, aspired to his (the Chief Guard's) position—on his way to a higher—meaning the Wardenship; this was the expression of the Bailiff Storekeeper McCarthy told me that the Deputy Guard stated in the guard room that the Warden could sack any man in the Prison including myself. I frequently heard expressions of hostility to others especially the Bailiff Steward and Cook on the part of the Chief and Deputy Chief Guards, and against one or two of those whom I esteemed the most reliable and respectable of the guards, viz.—Coutts, Axworthy and Greasy, two of these men told me they were so annoyed by the arrogant and overbearing conduct of Deputy Chief Guard Stedman that they were obliged to leave their situations in disgust, these two were Axworthy and Coutts, Greasy previous to his leaving told me he intended to resign on account of the treatment he had received, he did not state whether it was Beaumont or Stedman he complained of

I consider the treatment of the prisoners by these men (Beaumont and Stedman) on what I considered good evidence, especially of those who tried to conceal themselves with

a view to escape, as unnecessarily severe; Elliott, a Hospital Guard, and Clarkson, the Engineer were among the persons who gave me the information; the acts of cruelty towards the unarmed criminals were beating by the guards. Clarkson told me their cries could be heard outside of the Prison ground and Elliott told me he saw them beaten, I cannot state how many were beaten, Mr Elliott did not tell me how many, he spoke of the severity; prisoner Hunt, who was allowed to assist me in my office, in the summer of 1874, and who was highly spoken of by Sheriff Munro of the County of Elgin, told me that Mr Stedman asked him if he had heard any of the employees speaking against the officers of the Prison, and intimated that if he, the prisoner, would give him, Stedman his confidence, it would be better for him; Hunt's not reciprocating resulted in his being harshly treated by Stedman; he showed me a mark on his wrist, which I also saw after he left the Prison, which he said was made by Stedman striking him with a loaded stick, because he saw ink on his sleeve where he had wiped his pen.

About this time I was temporarily absent, and on my return I found he had been removed from my office, and was employed in the yard, I applied for his restoration, which was not granted until I complained to the Inspector, who ordered his return to my office; on the 30th October, 1874, at about 3 p.m., I received instructions from the office of the Inspector, to furnish a list of the names of 260 prisoners then actually in Prison, to the Car Company on the following day, to do this, and to prepare a copy to retain, I returned to the office in the evening and told the prisoner to remain and help me; about 6 30 Stedman came into the office, and motioned the prisoner to go to his cell, without speaking to me; he looked from his work to me for direction and I explained to Mr Stedman the necessity that existed for his remaining, he said he would see the Warden about it, and went out; the prisoner remained until I had finished, prisoner Hunt's hair was cut short the day before he was discharged, Hunt told me the Deputy ordered this to be done, he was examined after it was cut, and was sent back a second time by the deputy; I paid his board for several days after his discharge, until his hair grew, so that he could go out and look for a situation, I heard that Mr Stedman said he would put a stop to officers taking their friends through the prison without a pass, this was in the summer of 1874, a short time afterwards I heard that an order was placed in the books to that effect. As I expected some friends of mine to visit the Prison, I spoke to the Warden about the order who said it was not intended to apply to me, but only to the Steward and Clerk. I am not certain, but I think it may have been either the Bailiff or Mr McCarthy, the Steward, who told me what Stedman said. On one occasion, when two friends called on me, we went up the tower on the invitation of the Wall Guard, the Warden noticing this, censured the Wall Guard, at least so I was informed. I had formerly a prisoner to assist me, in the spring of 1875, I asked for the continuance of a prisoner to assist me in my office but was refused, and have not had one since, although a prisoner is allowed to assist the Storekeeper (Letter marked "A" now put in)

Copy of letter marked "A."

BURSAR'S OFFICE,
CENTRAL PRISON OF ONTARIO,
Toronto, 4th October, 1875

SIR,—I have the honour to call your attention to two inaccuracies in the weekly statements of prison labour supplied to contractors which have been sent to me. I went to your office to see the Chief Guard, by whom they were prepared, with a view to having them corrected. He being absent from the office, I left a message, requesting him to come to my office to make the corrections, but subsequently received a reply, that he was forbidden to come, so that I have failed in getting the matter explained, or corrections if necessary, made.

I have the honour to be,
Your obedient servant,
THOMAS SHORT,
Bursar

Captain Prince,
Warden, Central Prison.

This letter is one that I sent to the Warden on 4th October, 1875. On the back is the Warden's reply, and a note by Mr Beaumont, the Chief Guard.

Copy of reply.

The Chief Guard has received no orders of the kind. He shall attend your office to-morrow morning. He is on leave to-day

W S. PRINCE,
Warden

Note.

MR. SHORT.—In reference to the above, the Warden distinctly ordered me not to go to that portion of the Prison in which your office is placed, except once a day to draw stores When I reminded him of that order, he told me he only intended it to refer to the store-room

JAS. BEAUMONT,
Chief Guard.

The Chief Guard told me he was told especially that the reason the order referred to in the letter was given was, "that there was intriguing going on in that office, meaning my office On Saturday, the 27th May 1876. I sent the Storekeeper to the Warden's office with a pay sheet to sign, and a cheque to hand to him. On the Monday following an order was placed in the book forbidding anyone except the Inspector, the Chief and Deputy Chief Guards, to enter the Warden's office. Mr Stedman showed me the order and explained that it was intended only to apply during the Warden's absence, subsequent to this order, the Storekeeper mentioned that some goods were wanted. I told him to make out a requisition and get the approval of the Warden in the usual way, as I was going to the City. He prepared the requisition and went to the waiting room, and was told by the guard that, although the Warden was in his office, he could not enter, neither could he, the guard go in with the requisition Mr McCarthy can give the name of the guard (copy of order referred to and marked 'B,' is now put in.)

'CENTRAL PRISON, May 29th, 1876.

(5) "He shall see that the door of the Warden's office is kept closed and that no person enter therein in the absence of the Warden except the Inspector of Prisons, the Chief Guard and the Deputy Chief Guard On Saturday afternoon, all communication with the Stores Department shall be closed after 3 o'clock."

I am convinced that there is a imposition on the part of Stedman to hound down and annoy the Storekeeper As an instance the sudden removal of Willis, a well trained prisoner who had been employed in the lower store as butcher, etc, and who had proved himself clean, active, and civil, and was thoroughly conversant with the duties required, for some alleged offence committed outside he was punished, and afterwards sent to work at the stone pile instead of being returned to his duties in the stores and another man was sent in his place

I felt this the more as the man sent in his place (a prisoner from Ottawa) although a butcher, had a very bad reputation outside It had always been the system before that when a man is likely to be discharged from his position another is put with him, so that the new man may become conversant with his duties I spoke to the Warden about the man being taken away, and this man from Ottawa sent in his place, but nothing was done. At the time I spoke to the Warden I knew nothing about the character of the new man. During the past year I have no reason to think that the Catholic guards are not treated fairly on account of their religion I have not seen any brutal treatment of prisoners at any time As far as I know Stedman is attentive to his duties. A short time after the opening of the Prison, it came to my knowledge that some prison shirts had been cut up, and made into under clothing for Mr Stedman Some of the pieces left were brought into the store. Mr McCarthy (the storekeeper), may have been the party who told me I have heard that Mr Stedman removed articles made by the prisoners Mr Metcalfe was at one time bailiff of the Court.

THOMAS SHORT.

Investigation adjourned till 2 p.m. to-morrow, 1st November

Investigation resumed 2.50, p.m. Wednesday 1st November, 1876.

JOHN ENGLISH sworn.—Am Prison Bailiff; was appointed at the opening of the Prison. I have not been in a position to see any act of cruelty in the acts of the officers of the Prison, and never did see any. About a year and a half ago I took three lunatics to London Asylum from the Prison. Sometime before this (about three weeks), I was in the Prison, and heard the yells of a prisoner and the sound of blows. Guards Mansall and Gifford came into the guard-room, and said it was a chance to kick a crazy man. I replied, 'Why did you kick him?' They said that it was not they who did it: it was Stedman. They said he struck him (the crazy man) with a key, and beat the key on him, and knocked his head against the wall and knocked the blood out of his head on to the wall. When I got to the Asylum, and after they were undressed Dr Lett told me that one of them was fearfully abused and he felt it his duty to report the case to the Government. that he knew I had not committed the acts of cruelty, because the marks were of too old a date. He also said they were filthy in their persons. The lunatic's name was Edwin Lewis. About fifteen weeks ago I was in Hamilton. I was in the Court House while the Court was going on. The County Judge sentenced a prisoner to a year and a half in the Central Prison, whereupon the prisoner begged to be sent two years to the Penitentiary instead, saying he would rather be sent to hell for a year than sent to the Central Prison owing to the treatment he had received when there before, and the Judge gave him two years at Kingston accordingly. Capt. Henery, the Gaoler of Hamilton Gaol, can give name of prisoner. About nine months ago I was at the Court in Hamilton, and heard a prisoner beg to be sent to the Penitentiary for two years instead of one in the Central Prison; the Judge sent him to the Penitentiary. Capt Henery will know the name of this prisoner also. I have heard of excessive acts of cruelty, but cannot give names.

I have not been satisfied with the treatment I have received. I have been locked out, when on time, when boarding in the Prison. One time I was locked out, I rang the Warder's bell and he (the Warder) let me in, and stated that I was in time. I ceased boarding at the Prison on the 14th April, 1876. Frequently when coming to the Prison with prisoners, I have been kept waiting for twenty minutes in the storm and cold. I have now a key. About six months ago, I brought a number of prisoners to the Prison, it was about 12 30 o'clock at night. I rang the bell, but no one answered for at least fifteen minutes. I then rapped on the window and Guard Fraser then let me in. He said 'you must not blame me for keeping you waiting, as I could not wake Stedman up. The next morning I was in Mr Shorts (the Bursar's) office, when Stedman came and told me the Warden wanted me. I went to the Warden's office. The Warden asked me what the devil I made such a noise for last night. I said to get in. He said that within eleven seconds from the time I rang the bell the guard opened the door. He said Mr Stedman told him so. I told him to call in the man who let me in; Guard Newton came in, and the Warden asked him how long it was from the time I rang the bell until he (Newton) opened the door; and he (Newton) said two seconds. I said to Newton, 'Did you let me in last night?' and he said, 'Yes of course.' I asked him if that was a put up job between him and some one else to entrap me and I asked the Warden to send for Fraser, the guard who did let me in. Mr Beaumont told the Warden that Guard Fraser was on guard the night before. Guard Fraser came in, and I asked him if, when he let me in last night, he did not say, I must not blame him, as he could not wake Stedman up? He said he did so. Stedman said he was awake as he knew the prisoners were coming up. Fraser replied, "I mean until you answered me, I do not know whether you were awake or not." Immediately after that the Warden gave me a key which I have used since. About six months ago I was in the Prison, my son, who is five years old was with me. I started to take him to the water closet when Guard Dean stopped me. He said there was an order on the book to prevent any children going through the door. I then went to the Warden who ordered the guard to let me through. About a week ago the same thing occurred again; Guard Mansall was on guard. He opened the gate and let me through. When I came back Guard Mansall told me that Stedman attacked him for letting me through. Mansall said he did not know it was wrong. Stedman said there was an order in the book against it. Mansall said he never heard of it, that it never was read to him. Mansall said Dr Aikins (the surgeon) brings his children in and why not the Prison bailiff.

I have been told by discharged prisoners that Stedman questioned whether I gave them liquor at the Marlborough House on the way to the Prison.

I have given the prisoners liquor but not lately. Mr Langmuir (the Inspector) told me it was wrong to do so. Prisoner Marron from Brockville was here twice, and when discharged the second time, he obtained a pass from the Warden

About two years ago I saw Guards Bollard O'Brien and others, drinking liquor in McCarthy's room. I have seen cards being played on the premises. I saw Bollard very drunk in the guard room. I have seen Beaumont under the influence of liquor twice. I never saw Beaumont or Stedman present at any time when card playing or drinking was going on, or when there was quarrelling or wrangling going on. I have never given any information to any one connected with the press as to the transactions in the Prison

Shortly after I came here, Stedman said, pointing to the Bursar's chair that Beaumont was fitted for that and that he would soon have it. I have not noticed any difference shown to any one in the prison on account of his religion

DANIEL MCCARTHY, sworn.—Am storekeeper. Was appointed on the opening of the prison. At the time when the prisoners concealed themselves with a view to escaping I heard their cries when they were caught. They screamed very loud. Gunstock was one I forget the others. I ran out and think I saw a blow or two struck. I did not see the prisoner afterwards. I was unwell for two or three days after this from the effects, having never seen anything of the kind before—this was a short time after the prison was opened. Since April, 1875. I have seen little that is going on in the prison, being employed in the storeroom. Since April 1875, I have kept away from Stedman. Prisoner Willis, who was detailed for store work, was bringing in milk by the upper door of the storeroom Stedman said you must not go in by that door you must take it up by the lower door. I am of opinion that Mr. Stedman has full control, and that the Warden upholds and endorses him.

I remember prisoner Hunt, I know his hair was cut short the day he went out. They call it a convict ball cut.

Mr Stedman did not say to me that he would put a stop to officers taking their friends through without a pass. Have charge of prisoners. Know what is given to prisoners. Consider the prisoners are well fed. When there is no work, the quantity in meals is reduced. When the institution opened the tailors were making clothes promiscuously for every body and it was stated that one sheet was cut up for a pair of drawers for Stedman. I have never missed anything out of the stores.

We were hardly opened, when the prisoners were prevented from kneeling down when Father Rooney was holding service. Stedman said it was the Warden's orders that they were not to kneel down. Father Rooney demanded to see the Warden. Stedman said "go on," the prisoners might kneel down. One Sunday Stedman kept his hat on during the Catholic service. He stood beside the altar. I heard the Warden say to Beaumont and Stedman, they were to hound us down. I said to the guards I want you to bear that in mind. The Warden said, "I did not mean that I want you to watch him as a cat watches a mouse." One other occasion when Guard Somers was appointed in the absence of the Warden, he was sworn in by Mr Beaumont I think

The first Sunday he put in an appearance he was seen by Deputy-guard Stedman on his knees. He (Stedman) came running down after service was over 'Mr Beaumont, Beaumont! Beaumont! you have sworn that man in—he is a Papist!' if the Captain was here he would not have done it. This Beaumont told me. Guard Gifford told Mr English that Stedman called him into the Warden's office as he was passing down the lawn one Sunday afternoon in company with me, and said "now I want you to help me to get rid of those two Papists." Guard Lyons hinted to me the same thing. Acting on instructions from the Bursar on the 27th May, or thereabouts I took a pay sheet for the Warden's approval and was not allowed to enter his office. Guard Wood was on duty and he said he could not go in with a pay sheet, no guard other than the chief and deputy being allowed to enter that room. The same morning I wanted to go to the water-closet, and had to explain to the guard where I was going. Mr Stedman standing by laughing I felt that Beaumont and Stedman were opposed to me. I never saw Beaumont or Stedman under the influence of liquor. I never saw Beaumont drunk on the premises. I never gave any information to the press regarding the affairs of the prison, except stat-

ing to Patrick Boyle, that Captain Prince said he would "hound me down." The Inspector always gave every attention to any complaints I made.

D McCARTHY,
Storekeeper.

EDWIN NEWTON, sworn.—Am acting Deputy Chief Guard. Have been guard since 5th July, 1874. I had served in the Royal Artillery nearly 23 years prior to my entering the prison. On the first Monday when I commenced active service in the prison at 5.45 a.m, I was falling in the prisoners of gallery No. 4 when I heard a noise in the rear part of the gallery, and on looking round saw Mr Stedman striking prisoner Charles Gibbons with a walking stick. Stedman said it was because he did not walk well. He struck him two or three times on the heels. The prisoner cried out and lifted his feet, he is an old man of 65. I have not seen any other acts of cruelty. I have seen no difference in the treatment of the guards by the Warden, Chief Guard, or deputy on account of their religion. I have known of lots of instances where persons have been put in irons without their case being first reported to the Warden. One is the case of James Kyrs. I remember his case as he made a great fuss in going there. I recollect the case of six men being put in irons by the order of the Warden they were sent in one frosty morning. They were reported by Guard Wall, who was not the guard directly in charge, Guard Gifford was the guard in charge. They were reported for refusing to work, or not working (this was in the winter of 1876). The Chief Guard received the written report signed by Guard Wall, and countersigned by Guard Gifford. When the Warden came in Mr Beaumont reported the case, and the Warden ordered them to be placed in irons. I placed some of them in irons myself, and as I was doing so the men complained, and said they were brought in unjustly, that there were 24 men of their gang employed shunting the cars.

Adjourned the investigation, and resumed at 7 30 p.m.

Guard NEWTON recalled.—They stated that in consequence of there having been twenty four men around the car there was not sufficient room for all to push it, and the guard (Gifford) in charge had not found fault, and they requested the Warden might be informed of it. I told the Chief Guard (Beaumont) and he told me to inform the Warden. The Warden then sent for Guard Gifford, and after hearing what he had to say, he released the six prisoners. George Newbold, a prisoner, was placed in irons by Stedman, and James Hickey a prisoner was placed in irons by the Chief Guard, without their cases having been first reported to the Warden. This was since January, 1875, and some time in 1875. The other day a prisoner—at present a cook in the kitchen—was ordered to be deprived of his bed for the night. I referred the case to Mr Stedman who found he was the wrong man. His case was not referred to the Warden. I think Mr Stedman assumes too much authority in ordering prisoners to punishment without first consulting the Warden. Prisoners have complained as to the sufficiency of food. I consider the food now furnished sufficient. The complaints are, that when vegetables were out of season the soup was scanty, and out of good quality; and then the men complained, but these occurrences are rare. The cooking at times as inferior, soup too watery too much made; more than was necessary. I knew Guard Coutts. I do not think he was quite sane. He could not be trusted with a pistol. I knew Guard Gracey. I consider him a good guard. Mr Stedman had two easy folding chairs made in the Prison. I don't know whether he furnished any of the material. He had an in-laid bo-tebls and in-laid box made by two men named Collingwood. I knew Guard Uniacke. I know nothing about his getting trees. I got permission from Mr Stedman to get a glass case for an ornamental clock, which was done and I had a picture painted, it was painted in my own room. I know prisoner Walter Jones, he was employed nothing ornamental bone work for Mr Stedman, also vegetable ivory work. He was employed for a considerable time, he worked in his cell and Mr Stedman's room. This was previous to an order issued by the Warden forbidding work of this kind. I know prisoner McCarthy. He was employed painting in the south machine shop and in Mr Stedman's room. I recollect a watch being raffled for. I don't recollect the guards who took part in it. I have never given any information to the press respecting the Central Prison. The work-box made for Stedman was made since the order by the Warden forbidding anything of the kind.

E. NEWTON.

PATRICK MCCORMACK sworn.—Am a Prison Guard, was appointed on the 17th May 1875; of my knowledge I do not know of any cruel treatment towards prisoners on the part of the officers of the Prison, I have not seen any difference in the treatment of the guards on account of their religion, I have no complaint to make and knew of nothing wrong in the management of the Prison, I have heard of some of the single men who are guards complain that they had more to do than the married guards, I have reported nothing to the press, I have seen Mr Beaumont under the influence of liquor more than once.

PATRICK MCCORMACK.

DAVID KIRKPATRICK, sworn.—Am Prison Guard, was appointed 11th September, 1875, I have seen prisoners punished, but I do not think they were punished any more severely than they deserved, but I have seen prisoners under punishment when I did not know what they were punished for, I never saw a guard strike a prisoner, I have never seen any difference in the treatment of guards on account of their religion, I have never known any dishonest act on the part of the guards, I have seen prisoners making bone work, I have never reported anything regarding the Prison to the press, I think the food furnished to the guards should be made more palatable, the fault is in the cooking; last spring some prisoners belonging to my gang reported themselves sick, I thought they were sick. I sent them in to see the Doctor, and they were sent back to work, I do not know whether the Doctor saw them or not, one prisoner was Perkins who in a few days was confined to the hospital, and afterwards died of typhoid fever

DANIEL KIRKPATRICK

RICHARD FARRELL, sworn.—Am Prison Guard, I was appointed 23rd May, 1875, I knew nothing of the cruel treatment of prisoners, never saw anything of the kind since I came here, I never saw any partiality in the treatment of the guards, and no difference whatever on account of religion, about three months ago one of the prisoners put some meat in his hat at dinner time, Mr Stedman saw him do it, and threw the meat out on the table after removing the meat from his hat, he gave the prisoner a slight tap which would not have hurt a child and made him stand up until the other prisoners were done, I have nothing to complain of, the single men complain that they have more to do than the married men, I am a single man but do not complain, The food at the guards table is badly cooked, I have not reported anything regarding the Prison to the press.

E. FARRELL.

WALTER BUTLER, sworn.—Am Prison Guard, was appointed 8th March last, I knew nothing of any cruel treatment of prisoners, I have never seen any difference in the treatment of the guards on account of their religion, I have reported nothing to the press, I have no complaint to make

WALTER BUTLER.

W J MANSELL, sworn.—Am Prison Guard, was appointed on 18th January 1874, I was in the metropolitan police, and in the Surrey constabulary, previously to coming here. About two years ago I was in charge of a gang working in the front grounds. One day while I was searching them out of the yard, one of the prisoners named Richard Jones, an oldish man let his left hand drop straight and Mr Stedman struck him with a stick over the hand, and the man complained to me afterwards that his finger was very painful. The finger took to swelling and some week or two afterwards the outer skin around the joint peeled off; on another occasion I think it was the winter before last, I was on duty in the north wing as night patrol. Suddenly I heard a violent shouting and the words "Capt. Prince" repeated several times. I went upstairs to the top gallery and there I found a prisoner (Edward Lewis) still shouting "Capt Prince." I believe that he had become deranged. Mr Stedman who was in charge that night came out of the guard room with an ex-Guard Pollard and a key was produced to open the cell door a long key Mr Stedman went in, the man shouting all the time but made no resistance. Mr Stedman struck the man with the iron key, Lewis shouted, murder! Mr Stedman threw him down on the bed as I his head struck the wall

and bled Mr Stedman then placed a wooden gag in his mouth and his hands hand-cuffed behind him, this was about nine at night, he was left lying on the bed I went up to see him in about half an hour, he appeared to be all a heap with his head down on his breast, when I spoke to him, he raised up his head, and I found he had got the gag out; I made a report of the disturbance in my note book on a sheet of paper, and reported to Stedman and Beamont; I did not report the striking with the key He (Lewis) laid all night with his hands behind him within an hour Stedman asked me how the prisoner was going on, and if he was quiet. I told him he had got the gag from his mouth; I think he said, Let him be. Mr Stedman did not give me any instructions to take the gag out of the prisoner's mouth if he became quiet I don't know who removed the hand-bolts I know that he was not untied all night; I had thought for some time he was insane—Stedman struck him (Lewis) over the shoulders; The blows bent the key, The key is two feet long, and is made of steel half an inch in diameter, and I think would weigh two pounds. I produce a similar key, It is called the entrance key to the prison proper, Mr Stedman had some where manufactured here I do not know whether he took any away I understood they were furniture for his room, I saw them in his room after they were finished, I never saw any partiality shown the guards by the Warden, Chief, or Deputy Chief Guard, and no difference was made on account of religion, I have not reported anything to the press. Prisoners have complained of the food to me as not being sufficient sometimes there was more food than was necessary, and sometimes I should say there was not sufficient I have seen no favoritism as to treatment of prisoners There seemed to be bad blood between Beamont and Stedman, I never heard them quarrelling

W J MANSELL.

HENRY F KING, sworn.—AM Prison Guard, was appointed 27th February, 1876. I can't say I know of any cruel treatment of prisoners When I first came prisoners were confined in irons all night and were not let down to use the buckets. That is not done now, the guard lets them down at ten o'clock to use the buckets. I have seen no differencein the treatment of the Guards by Capt. Prince, or the Chief, or Deputy Chief Guard I have reported nothing to the press.

HENRY F. KING

Guard NEWTON, recalled.—Finlayson, a prisoner, was beaten for secreting bunsel for the purpose of escape, by the Chief and Deputy Chief Guards, one using a rope and the other a stick this was about January, 1875 I did not see him beaten but afterwards when he was placed in the dark cell I saw him, his body was covered with welts and bruises the surgeon was not present at the flogging, the man was very much exhausted Beamont showed me the stick which he used, and it was over half an inch in thickness and was broken up I was twelve months in charge of the north wing, and saw a good many prisoners put in irons. After men had been up for several hours they would be very much exhausted; their hands would get cold and their arms paralyzed and in many instances I have found the men have answered the calls of nature in their clothes. As a rule when they expressed contrition they were taken down, but if put in at night they remained until six in the morning. Not long since about the end of August 1876, I found a prisoner in a fainting condition,—corridor guard Ursache discovered him and told me. When I went to him he was hanging by his hands; his name was Hawkins. In lieu of that punishment I would suggest a longer term of bread and water in a dark cell, the dark cells are badly ventilated there is one outlet but no inlet for fresh air I have been in the artillery, the punishments were principally dark cells. I am acquainted with the system of punishment in military prisons, and putting a man in irons is not resorted to except in extreme cases. I think that no one should be punished without the Warden being present. I think the Warden's authority to punish should be limited.

E. NEWTON.

Adjourned till 10.30 a.m. to-morrow

Investigation resumed at 10 30 a.m. Thursday.

EDWIN NEWTON, recalled.—I knew prisoner Lewis; I saw him very frequently; the general opinion of the guards was that he was insane; that was the opinion prior to his being struck with a key by Mr. Stedman, a month before this I thought him insane; he was under observation by the guards generally, I cannot say that it was by orders; I had not orders to watch him; he had been confined to his cell a fortnight before Stedman struck him, during this fortnight he was periodically violent and was quiet at times; he would say that he and another party had murdered a man in the States; I heard him say this; I believe reports were made by the guards that he was noisy; for weeks before he was placed in his cell he would sit for hours in the dining hall, and if the Doctor, or any one else spoke to him, would burst into tears, and say he had murdered a man in the States.

E. NEWTON

WM. GIFFORD sworn.—Am Prison Guard; was appointed at the opening of the prison; about May, 1876, Stedman struck prisoner, Andrew Edwards with the palm of his hand to the dining room, the prisoner had a piece of bread or meat in his hat. Stedman struck him with the palm of his hand to his face and then took the bread or meat from him; the first summer we opened Mr Stedman used to treat the prisoners very harshly, especially when marching; they would lose the step. He had a stick about two feet six inches long, and the ferrule was of iron and was six inches long, he would stamp this down on their feet and legs especially the old men. one in particular, a prisoner named Gibbon from Hamilton, I saw him strike over the ankles several times, Gibbon is over 60 years old, I was the guard on corridor duty the day after Dillon was caught in the yard, I accompanied Dr. Aikins and Stedman to the dark cell; he (Dr Aikins) saw a cut on the prisoner's forehead, and asked the prisoner what did that, before the prisoner replied, Mr. Stedman said he struck him with a stick; what the Doctor said I did not hear, I then accompanied them round to the dark cell where prisoner Carson was; he (Dr Aikins) asked if he had any complaints, and he said no, the Doctor then left, I saw Mr Stedman when he was visiting the gangs in April last cell on Mr Hill, and ask him who was that that was lying in the box. Hill replied that it was prisoner Combe; he (Stedman) went up to the box and took off a lot of prisoner's coats that were lying on top of the prisoner and made him get up. He said 'What is wrong with you' the prisoner replied, 'I am sick,' Stedman struck him on the chest with his fist, and said 'You are not up to the guard room now, the bread you get does not go down easy there is no butter on it' he then ordered him to be sent to, the blow was given with a closed fist, but not a very hard blow. at the time Dillon was found we had been two days and two nights looking for him. I have never known the Warden or Mr. Beaumont to show any difference in the treatment of the guards on account of their religion.

In the fall of 1874, one night when I was in the bailiff's room with the bailiff and Mr. McCarthy Stedman came to the door and called me out, and asked me to come down to the office as he wanted to speak to me. I followed him down and went into the Warden's office he closed the door and asked me if I would work in with him to try and put the Catholics out of this. I looked at him for three or four seconds and replied "I could not do such a thing—my wife was a Catholic." I then turned away and walked out. I knew prisoner Lewis, I brought him from the Toronto Gaol at the time the Prison opened, I remember the time it was said he was struck with a key; I had him in my own gallery up to two months prior to his being struck and saw him several times during those two months; the impression I and the other guards had was that he was getting crazy, I think he had been in the cell a week at the time he was struck, I missed him from the yard, he used to shout in the corridor mornings and nights prior to the striking, I did not see Stedman strike him, Guard Evans said he saw it, I knew prisoner Hade, he said he made boots and shoes for Stedman; any boots and shoes I got I paid for to Mr Short, this was in November, 1874. Stedman kept the accounts of the shoeshops, he (Hazle) made boots for other guards. I know Guard Uniacke; he is considered a friend of Stedman's, I do not consider myself a friend to Mr Stedman. I knew of partiality towards guards by the Warden and Stedman; I did not see any on the part of Beaumont. In the fall of 1874, I took my gang to bathe at 5 minutes to four; I went to the bath room, on my way going up stairs, I met Guard Uniacke with his gang coming down, having bathed. I then went up, got my gang stripped, and wasted there about two

minutes when Mr Stedman came rushing up, and asked me "if I ran this Institution," I said no, what do you mean?' he said he would let me know, and he reported me to Chief Guard Beaumont. Mr Beaumont came with him to the bath house, and asked me if I was there before four. I said "yes," that my foremen gave me five minutes to get over to the bath house, and that meeting Guard Umacke's gang coming down from bathing, I thought I was right in going up and getting ready to bathe my men, he replied it was all right, he saw nothing wrong Mr Stedman met Umacke's gang going from the bath house to the prison and did not report him, I was in charge of the lumber yard gang, and superviseed the gang in the erecting shop, and the blacksmith shop gang in the fall of 1874 In December I came out of the lumber yard with my gang of fifteen men, we were taking sheeting to the north and south machine shops, I had to divide the gang, giving six men to Mr Thompson (the foreman), they went to the north shop. I taking mine to the south shop, I gave Thompson instructions to bring the men to me and instead of doing as he let them come around by themselves, and at the turntable they met two other gangs having no guards with them, and got talking together, and Mr Stedman saw them He then came to me and asked me if I had any men round in the yard, I said "yes, six with Mr. Thompson," he then censured me in a surly manner in front of the prisoners, and reported me to Mr Beaumont; I reported him through the Chief Guard to the Warden. The other two gangs belonged to Guards Doherty and Umacke. He reported Doherty and me and did not report Umacke, which I reported through the Chief Guard to the Warden, and brought before the Warden in his office the bathing case. After I reported this to the Warden, he (Stedman) used to visit me eighteen times a day, and before that he would only visit me two, three, or four times. On 2nd January, 1876, I was on guard room duty (it being Sunday) I was on corridor patrol from half past twelve until one o'clock, and was relieved at one o'clock, and went to the guardroom to get my dinner. I went into the guards' dormitory, took off my revolver and belt, hat and stuck, and laid them down on one of the married men's beds, and then went to dinner After dinner I came back to the dormitory, when Guard Kirkpatrick called me and spoke to me, I talked to him quite awhile, I should say about one hour—I then laid down on the bed, and in doing so moved my hat and stuck, but had no thought of the revolver, until the next morning when I went to the cupboard used as an armoury, to get my revolver and could not find it. I asked all the guards if they had seen it, I supposed they had played a trick on me or that some one had taken it in a mistake, I took a revolver I found hanging in the cupboard. I supposed it to be Guard Umacke's About ten or fifteen minutes afterwards I was out with my gang when Chief Guard Beaumont came to me and asked me if I had my own revolver, I said "no, and told him about not finding my own He said Stedman had received a revolver from a prisoner which he had said that he had found in his cell the night before at half past six, at a quarter past one I was sent for by the Warden, I told the Warden the same facts I have now stated He censured me, and told me to get my revolver from Mr Stedman. I asked Mr Stedman where my revolver was, and he said in his room I went to his room and found the revolver lying in an arm chair with prisoner McCarty painting an oil painting alongside the chair, I looked to see, and found the revolver loaded, I reported this to the Warden through Chief Guard Beaumont. The Warden cleared Mr Stedman of all blame at the evening count parade He read my crime out of the order book but did not censure Mr Stedman for leaving the pistol on a chair beside which a prisoner was painting At the same time, there was an order in the book for the guards to sleep with their revolvers under their pillows and that was why I laid the revolver on the bed At the time I was brought before the Warden, I stated the pistol was as safe on the bed, as in the cupboard which could be opened with my little finger About four months after this, the Armoury was built. I saw that Mr Stedman had got Guard Umacke's revolver three times in the dormitory lying on the bed. I knew, because he came and asked at the mess table where it was, and stated he found it on his bed Don't know whether it was reported or not, it was never read out in orders. On the the 4th or 5th April 1876, there was a raffle in the guard's dormitory I saw the armoury wide open, in which were the rifles revolvers, and keys of the prison leg irons, and handcuffs The three guard room waiters (prisoners), were in the room sitting opposite the armoury and no guard was in the room. I told Mr Hill, and he

and I stand there until the guards came out. The raffle was then going on. It was between six and seven in the morning. I don't know if it came to the Warden's notice. The raffle was for a watch.

I have not on any occasion given information to the Press, or to any one with a view to its going to the Press with regard to the Central Prison. About a week after the Barber escape, I sent a note to discharged Guard Wall. I was told that Wall had written a letter to the "Irish Canadian," and had read the article said to be his. When Wall was in the prison, I knew nothing against him but drink. I have learned that his character is not good, and have dropped his acquaintance. The reason for my writing to Wall was not that my letter might be published. He (Wall) had been my supernumerary for months, and I thought he had been unfairly dealt with. I see now that I did wrong. I made a report in regard to my supernumerary, Wm. Mansell, to Mr Stedman, I handed it to him in writing, he refused to take it, saying he would settle with Guard Mansell himself. This was the day Barber escaped.

To the Warden of the Central Prison.

SIR,—I have to report Guard W. Mansell, my supernumerary, for neglect of duty, on Thursday, 27th. I charge him for giving his rifle to prisoner Foley, and taking the pick for ten minutes, and working with it. 2nd. I charge him with laying his rifle down amongst the prisoners, four times during the day, and while both the gates were open.

I also reported to Mr Wall, that Mr Stedman had allowed Barber (a prisoner) to see Joyce (a visitor) on Sunday, and also, that Barber was allowed to get the long key of the principal doors of the prison. I have seen this.

WM. GIFFORD.

Investigation resumed at 2 30 p.m., 2nd November, 1878.

Guard GIFFORD recalled.—At the time of the escape of Barber, I was ordered to take a ladder to the front of the north wing in order that the slates might be carried up to the roofers. I did not call the attention of anybody to the ladders being there; Stedman told me he had let prisoner Barber see Joyce the visitor and that he was afraid of being dismissed on that account; Stedman after Barber's escape, gave me his revolver, and told me to go and see Joyce, and try and find out where Barber was; I could not find out where Joyce lived and reported the same to Mr Stedman the next morning. Stedman told me that Barber's wife lived out in the country, and that it was likely he might have gone there, and that the Warden had sent a detective after him; three prisoners escaped from the field gang about the 21st January, 1878, and the Warden, in his annual report, says there was only one; the prisoners' names were Wylie, Deacon, and Cunningham; Wylie is the only prisoner mentioned; I captured Deacon the day after the escape between Goodwood and Stouffville, I believe there was ill-feeling between Stedman and Mr Short, the Burser, about the end of January, 1878. I was in charge of a gang unloading stone; I had a prisoner under me by name of Fairchild who said he was sick, and unable to work; I had to coax him to work, and said he might be better after dinner; after dinner he was no better, he complained of cold and vomiting, so I sent him into the black smith's shop to warm himself, and told him to come out again in about ten minutes time, and I would report him sick, while he was absent I was called away for my pay, and to relieve the Wall Guards, and while I was away the Warden on going his rounds, found Fairchild and other prisoners in the blacksmith's shop, he asked Fairchild what he was doing there; Fairchild said that I had sent him there; I was sent for, and met the Warden in the dining-room, the prisoner was present, and so was Mr Beaumont, the Chief Guard; Beaumont asked the prisoner if he had reported himself sick; he (the prisoner) replied, "yes, three mornings running;" Mr. Beaumont asked who he had reported himself to, and his answer was, "to a prisoner, not a guard;" Mr Beaumont asked him if a guard unlocked him in the morning, as the said "no." In the south wing then, and in both wings now the prisoners were unlocked by prisoners called "cleaners," this was in accordance with Mr Stedman's orders; the Warden gave Mr Beaumont orders that in

future the cell doors were not to be unlocked by a prisoner in the mornings since Mr Stedman acted as Chief Guard this order has not been obeyed; Mr Beaumont obeyed the order during the time he was Chief Guard; in the month of October 1875, I was in charge of a field gang, as I had Guard Mansell as supernumerary, the prisoners were pulling turnips Guard Mansell left my gang and went and talked to Guards Wall and Jobbs for over three hours, and I left the field with my gang without Mansell having returned to me I made a written report of this to Mr Stedman and he told me to take my twelve men out again, and gave me a note to Mansell, and said that he (Stedman) would see to the report, but I never heard of his doing so, and at the subsequent counts I never heard it mentioned Captain Prince was at this time away on leave; Mr Stedman kept prisoner McCarthy (the man whom I found standing beside the chair in which I found my revolver) in his room, making oil paintings, I never saw McCarthy doing anything else than painting except during one week he was breaking stones. McCarthy was in the Prison a year, Mr Stedman got a lounge made in the summer of 1874, the prisoner who did the upholstering was working with the Canada Car Company, under me, Stedman came and took him away from my gang; he kept him two days, and in his time was down in the book the same as if he had been working for the Canada Car Company

WM. GIFFORD

FREDERICK HILL, sworn.—Am prison guard, was appointed in March, 1875 About February 1875, Mr Stedman came to me in the guard room, and told me to take off my slippers and to go up the further end of the crank being the opposite end of the corridor from the stairs, and try and find out who was making a noise I went up and found it was a prisoner in Number 8 Gallery, one whom I had supposed to be insane. I called to some of the other guards on the corridor "This is the man who is making the noise;" he was yelling "Capt. Prince Murder!" Mr Stedman came up with Guards Doherty, Mansell, Eames Mansell had a lamp Mr Stedman unlocked the cell door and went in, and asked what he was making a noise about. I can't say just what the prisoner said, it was something about his brother, and then he called out "Capt. Prince, Murder!" I saw Stedman unlock the cell and go in. I did not see anything after he went in until I heard the prisoner groaning I then looked in and saw the prisoner lying on his right side on the bed Mr Stedman had his two knees on him and was striking him with a long key He struck him several times across the back I cannot say whether the prisoner had his coat on or not. Doherty and Mansell were both in the cell, and I could not see very well what was going on I saw Doherty strike the prisoner with his fist, while Stedman had him down. I don't know the name of the prisoner I heard it was Lewis. In April 1875, I was on night duty I went on in the middle of the week in place of a guard who was found asleep. I found a prisoner named Shaughnessy from Kingston in irons in the East Dark Cell of the south wing How long he had been there I could not say. Guard Eames told me five days and nights. I went in on Wednesday, he was kept in irons on Thursday I can't say whether on Friday or not. The report book will show, as I made report to Guard Eames. I visited the prisoner every hour, as I was afraid he would die. He was constantly hanging by his hands, and what I would go to him he would say, "Thank God there is another hour gone by" I don't know whether he was taken down to use the buckets or not. I had not the key of the cell and could not get in. The key was locked up in the Armoury and could not be got unless by orders of the Chief Guard. I was on night patrol

Report book produced, entry under 1st May, 1875—"John O Shaughnessy for insolent language to Deputy Chief Guard—seventy-two hours in irons.'

In the spring of this year I had a prisoner named Comb in my gang He had previously been a guard room waiter, and had tried to make his escape After he had been in my gang a few days he complained of being sick. I asked him if he had reported himself sick to his guard in the morning which is the usual custom, he said 'no,' he did not feel very sick then I told him to wait until noon, and that if he did not then feel better I would take him before the Chief Guard. He was not better at one o'clock, and I made a verbal report to Mr Stedman. He said he was to go out on the stone pile until the doctor came and he would then be sent for. Prisoner replied "put me in the dark cell" Stedman replied, "I will put you where I choose." Comb went with me to the gang;

when he got out he said, "Mr Hill, I can't work" I told him to go and sit on the stone pile where the sun was shining While he was sitting there Guard Mansell who had charge of the loads at that time came by, and passed a remark how sick he looked. I said I could not help it I had reported him and yet he was ordered to come out. About the middle of the afternoon Comb went and laid down in the box we had for measuring stones. I missed him from the place he was lying on the stone pile and found him in the box covered up with some of the coats belonging to the prisoners He was groaning I thought he was very sick and did not disturb him during the afternoon. Mr Stedman came, and I told him about Comb being so very sick He asked where he was and I told him He told Comb to get up, saying, "It is no good playing off like that you need to eat plenty of butter on your bread in the guard room and now the dry bread sticks in your throat," and he struck him on the chest with his clenched fist. He then sent him inside He was taken to the hospital and ultimately died Prisoner Dillon was in my gang He and Stedman struck him over the left eye after he had given himself up. (Dillon had tried to escape.) He said Stedman struck him with a stick and knocked him down. The left upper corner of his forehead was cut and bleeding and that part of his head was badly swollen. Each day he kept getting worse, the swelling increasing he being hardly able to see out of his left eye On the second day he fainted away I had him taken out of the sun put some salt in his mouth, and poured water in his mouth He was sent inside. I saw him next day with a position of He did not come out to work for three or four days. I never saw any difference in the treatment of the guards on account of their religion. I have not reported anything to the press as to the affairs of the Prison.

FREDERICK HILL.

MAURICE UNIACKE, sworn—Am prison guard Was appointed at the opening of the Prison. One night during last year that I was on duty there was a prisoner in the dark cell of the name of Hickey He was tied to the ring. Mr Stedman asked me to come down as the prisoner was making a noise and told me to loosen the prisoner I did so, and with Mr Stedman's assistance brought him out. I put the handcuffs on him to bring him to the dungeon underneath. Mr Stedman gave the prisoner two blows on the side of his head with his clenched fists The prisoner was making a loud noise We put him in the dungeon Hickey had been several times in the dark cell and was generally noisy Prisoner Charles Gibbons was an old man. I was in charge of a party in the lower end of the South Wing cutting hay I saw Mr Stedman at the door of the cell in No 11 Gallery, and saw him take a pipe from Gibbons who had been smoking, and strike him twice on the side of his face with the back of his hand. Gibbons has been in the Prison three times. His conduct is generally good and he was quiet. At the time prisoners Dillon and Carson were confined I was posted at the north gate. We heard that the prisoners were to get We had been up two nights looking for them I went into the corridor and saw the prisoners standing there Mr Stedman came in and I saw him strike Dillon on the head with a stick once and once on the arm I think the stick was a walking stick. Dillon had said nothing to Stedman He poked the stick against Carson's ribs pretty forcibly There was a prisoner in the North Wing named Lewis (a lunatic) I was standing on the landing leading out from the Guards' Dining Hall in company with Mr English (the bailiff) I heard the cry of this man, and from the nature of the cry thought he must have been struck with something. I heard the other guards say it was with a large key. I had seen Lewis before this several times, was under the impression that he was not right in his mind Other guards remarked to me that he was wrong in his mind. He had been in the cell for several days I can't say what for, as I was not in charge of that gallery I have never seen any difference in the treatment of the Guards on account of their religion I have not made any report to the Press about the affairs of the Prison I once left my revolver in my bed room I had had taken my belt off and forgot it, and went to my tea. I was reported to and brought before the Warden but the offence was not read out at the Court. I left my revolver another time. I was out brought before the Warden that time I never brought my gang in to bathe before four o'clock; it might have been a minute or two before four o'clock It was thereabouts at any rate. I do not know that there is any ill feeling towards Stedman on the part of any of the guards. I never saw Beaumont strike a prisoner

M. UNIACKE.

HAMILTON LYONS, sworn.—Am prison guard; was appointed at the opening of the Prison, shortly after the Prison opened, three prisoners concealed themselves away in the engine house, with a view to escape. Guard Gracey was on duty, and found the prisoners concealed in the engine house, between the top of the boiler and the ceiling; I went to assist Stedman, who told them to come out, they would not, and he caught hold of one of them and pulled him out between the rafters, I caught hold of one of them and he kicked me, I threatened to shoot him, he said not to touch him, and he would be quiet, I kept my revolver in my hand until we got them all out, by that time all the guards were gathered round, the Warden was sent for, and the prisoners taken into the corridor. Mr Stedman struck one of them with his fist, and knocked him from one side of the corridor to the other. I stood within fifteen or twenty feet of Stedman at the time, the prisoner did not say anything to Stedman previously to his being struck, Guard O'Brian struck another, I said it was a damned shame to knock men about in that way. On several occasions I have seen Mr Stedman, while the men were marching, strike them on the hands and feet with a stick when they did not march in order, or kept their hands down. I have seen a good deal of partiality shown to guards, on several occasions I have applied to the Warden for leave of absence, to go out on family affairs, my wife being sick, I sent in word by Chief Guard Beaumont, and he came out and said the Warden would not grant leave. One time I asked the Chief Guard to allow me to see the Warden personally, I did see the Warden, who refused me leave, saying I was a nuisance and a disturbance, and to put in my resignation and leave altogether, I asked, Why? He said all the guards said so, I asked him to bring in any of the guards who had said so and he refused; he said he would transfer me from the gate to the wall. I asked him if he would allow me to see the Inspector he refused, saying I could go after hours, two other guards (Johns and Eames) applied to go down town, and they were allowed to go, they had leave twice or three times. Some time afterwards I applied to Mr Stedman for leave to go to town for medicine for my wife, and he said it was no use as the Warden had refused to allow me to go. This year I applied to the Warden for permission to get some clothes made he told me it was not allowed: the very next week Mr Sherr's son, who was working with him, got a suit of clothes made, whether the Warden gave permission or not, I cannot say. Previously to this the box at the gate was opened and my papers and my books stolen, I am not able to give the date. Last year I applied to the Warden for permission to get shoes made for my family, and he refused, a short time after that, Store-keeper McCarthy and Guards Eames and Johns got shoes made for their children; can't say if Warden gave permission. I have never given any information to the press regarding the affairs of the Prison. I have been taken from the gate and taken inside to the guard duty, and sometimes to allow other guards to go away on Sunday, I claim that my duties should be confined to the gate as I am gate keeper. Mr Stedman has put in charges against me, privately, when Mr Beaumont was Chief Guard

HAMILTON LYONS.

DANIEL CUNNINGHAM, sworn.—Am Cook and Baker. Was appointed 6th May, 1875. About June, 1875, there was an old man in the prison. Mr Stedman came to me and said he was around the galleries about twenty minutes before and found this old man on his knees as though he might be praying, and that just now he found him smoking, and he (Stedman) said "come and I will show you some fun. I did not go but Stedman went to the old man's cell, and I saw him kick him several times as he went down stairs. It was in the first or second gallery in the north corridor. I don't know the old man's name. He did not fall. Stedman kept kicking him as he went along. Not long after this, Stedman was about putting Hookey into the dungeon. I had to go down to let him in, as I had charge of the key of the doors leading to the dungeon. Mr Stedman and Guard Daniels were putting the handcuffs on him. After he was handcuffed, Stedman struck him with his clenched fist. The prisoner was very noisy and was making a noise when Stedman struck him. I have never seen any difference in the treatment of the guards on account of their religion. Complaints have been made to me about the cooking of the food for the guard's room sometimes as to its being underdone, and at other times overdone. I have given no information to the press as to the affairs of the prison. A Mr Everest came to me to get information, and I referred

him to the Warden. Everest pressed me to give him information as to cruelty to prisoners.

D. CUNNINGHAM

JAMES CLARKSON, sworn.—AM Engineer for the Central Prison. Was appointed at the opening of the Prison. I know nothing about the treatment of prisoners, or the discipline of the Prison.

SAMUEL DEAN, sworn.—AM Prison Guard. Was appointed 6th MAY, 1875. I have seen no act of cruelty to the prisoners, nor have I seen any difference in the treatment of guards on account of their religion. I have not reported anything to the press as to the affairs of the Prison. There was an undersized man with long light whiskers who wanted information as to the Prison. I told him to go to the Warden, he came to my house.

SAMUEL DEAN.

WILLIAM JOHNS, sworn.—AM Prison Guard. Was appointed 14th February, 1875. In 1875 a man by the name of Speckman was hurden away. I can't give the precise time. When he was found, and Mr Stedman was putting him in irons to the dark cell; and after he had the irons on, Mr Stedman struck him on the side of the head with the back of his hand, and said, "you b * *, you have got a good guard dismissed over you." I saw him strike an old man (Edwards) for taking beef from the table and putting it in his hat. About five months ago, I saw Stedman strike a prisoner named Harrigan, who came in saying he was sick, that there was something the matter with his arm. Stedman punched him in the stomach with his fist, and caught hold of the lame arm and raised it up and made the man cry out. Harrigan belonged to my wing. He told me to put him in irons, that he was not sick. He did not want to get instructions from the Warden. I put Harrigan in irons and then told Stedman the man was moaning. Stedman then went into the cell and commenced punching prisoner in the ribs, saying "you are not sick." The prisoner kept saying "don't Mr. Stedman." The prisoner was taken down in about three hours. He was sent to Guard Dean. He was employed before being punished, in the broom shop.

A prisoner named Farrell looked very sick when he came in from work; Guard Eames reported it to Mr Stedman who ordered Farrell to be put in irons, Eames went to do it and could not effect it alone, so he came for me to help him. The man was so sick he could not stand up and we had to lift him and forced his hands to the ring. I held him up while Eames put the handcuffs on. we both came away and Eames locked the dark cell door, I said to Eames "we had better see Stedman about that man," Eames then went back to the cell door and found the prisoner hanging by his arms, his head hanging on his shoulder, we then took the responsibility of taking him down and left him lying on the floor and Eames reported the case to Mr Stedman who said "let him lie there," and he was left there the doctor came the same day and treated him as a sick man, was ordered to put prisoner Bazy (colored man) in irons, but could not do it, I told Mr Stedman and he drew his revolver and pointed it at Bazy's head, Bazy said he would not go into irons until he saw the Warden—just then the Warden came and ordered him in irons. Mr Stedman then put him in irons, he being quiet. I got orders from Stedman not to let him down for any purpose, and he directed me that when the prisoner wanted to use the bucket to place it on a chair and lower his pants and when the prisoner was done with the bucket, to button up his pants after cleaning the prisoner, was ordered by Stedman to put the prisoner Wells in irons. I do not know what for. he was treated in the same manner as Bazy. I have not seen any difference in the treatment of the guards on account of their religion, I have not reported anything to the press about the prison.

WILLIAM JOHNS.

Investigation adjourned until 7.30 P M.

Resumed at 7.30 p.m.

HENRY EAMES, sworn.—AM Prison Guard, was appointed at opening of Prison, about two years ago I was on evening duty, and heard some shouting in the north wing. I saw Mr Stedman and Guards Doherty and Mansell going to the north wing. Mr Stedman had a long

key in his hand. I followed them when I got there I saw Stedman kneeling on (Lewis) a prisoner's chest, and striking him with the long key, I did not step to witness the whole, but came away; Lewis was shouting. Guard Doherty was holding him, while Stedman was beating him, Mr Beaumont told me in the morning that the case was reported, I thought Lewis was insane prior to the beating by Stedman and other guards told me they thought he was insane, when Stedman came back to the guard room he had the key in his hand, he said the key was bent, he did not say that Lewis attacked him; about April, 1875 prisoner John O'Shaughnessy had been reported for talking, and the Warden stopped his supper, Beaumont brought the report to me, and told me I was to tell him to go without his supper, as he was reported for talking, I told the prisoner his supper was stopped and he said "very good," Stedman came up behind and asked what he said, I said "very good," Stedman followed the prisoner to his cell, I do not know what took place there Stedman came back and told me to put the prisoner in irons; he remained in irons five days and nights, I had charge of him in day time, and Guard Hill had charge of him at night part of the time and Guard Stratton the balance of the time; during the time I had charge of him (in day time) he was taken down to his meals, his hands were loosed but his legs remained in shackles, the meals were given him in his cell his food during these five days was one pound of bread per day, during these five days he was in irons he was very quiet the second day he was in irons he asked to see the Doctor, I sent in a report to the Chief Guard that he was sick to answer name the Doctor never came to my knowledge, on the fourth morning when I went to his cell to relieve Guard Hill he told me the prisoner had been moaning during the night, and he thought something was the matter with him I went into his cell to see what was the matter, and the prisoner told me that during the night he wanted the bucket, but could not get down to use it so he had answered the calls of nature in his pants he also said he wanted a drink of water, but couldnot get it I had to lower him down from the ring, and when I gave him some water he dropped down on the bucket; then I gave him his bread. I returned to his cell after breakfast and found that he had not eaten his bread and that he was asleep, I tried to awaken him to put him up to the ring again but could not, I reported to Mr Stedman that he was much exhausted, not having eaten his bread for two days, and that it would be dangerous to put him in irons any more that he was too far gone, he replied, 'let the b——— die." Stedman did not go down to see him at that time, I got one of the prisoners to help me put him up, he remained up all that day and night until the middle of the next day he was then taken down and removed to his cell He remained in his cell the remainder of that day and all the next day lying in his bed, and the day after was sent to work. About nine months ago a young man named Farrell, about nineteen years of age, reported himself sick from one of the shops. He was brought in and Mr Stedman ordered him to be put up to the ring I was not able to do so as he would not stand, and I got Guard Johns to help me We put him up but he bore all his weight upon his hands, so I told Guard Johns I would wait and watch whether he would rest on his feet, but I found he did not stand on his feet and took the responsibility of letting him down. His head was lying on his shoulders before I let him down When I let him down he lay down on the cell floor I reported the circumstance to Mr Stedman. He left him there or the cell floor until the doctor came. The latter came in the evening. I went with him to the cell The doctor said he had a touch of the fever, and he was sent to his cell under the doctor's treatment. About six months ago a prisoner by the name of Collins was working as tailor on the bench in the dining-room. Mr Stedman brought him to me and told me to put him in irons I don't know the offence When I got to the dark cell he refused to be put up to the ring until he had seen the Warden I reported the fact to Mr Stedman, and he went down to put the handcuffs on him, and afterwards abused him a great deal He jammed his head against the wall until the blood came out of his ears and then fastened him to the ring He was released, by order of the Warden next day. About nine months ago Mr. Beaumont was transferring some of the reformatory boys from the north wing to the south wing. I remained in the south wing. Mr Stedman said to a prisoner named Gunstock, "come along with me, I want to show you something" He took him to the dark cell, where I saw Stedman draw his revolver and put it to the prisoner's face, and say, "do you see that? you will get the contents of it if you don't believe yourself in the south wing" and then sent him to his cell Prisoner Gordon reported himself unfit for work about four months ago Mr Stedman brought him in and

told me to put him in the dark cell but not in irons. I asked him if I should give him his food, and he said "no" He was there until the doctor came that evening I heard the doctor say he was sick, and ordered him to be sent to the hospital I have often seen Stedman use the stick to men when in marching order, but not lately I did not think much of it. I never saw any difference in the treatment of guards on account of their religion I have not reported to the press any of the transactions of the Prison

H EAMES

MICHAEL WOODS, sworn.—Am Prison Guard. Was appointed 4th Feb., 1878 I have not seen prisoners ill treated. Have never seen any difference in the treatment of guards on account of their religion. I am not satisfied with the food we get at mess. I think the discipline too severe.

MICHAEL WOODS.

JOHN EGERADALEANE CAMPBELL sworn.—Am Prison Guard Was appointed 13th April 1875 I never saw any cruel treatment of prisoners. Have never seen any difference in the treatment of guards on account of their religion The food at mess does not suit me.

JOHN B CAMPBELL

GEO FRANKS, sworn —Am Prison Guard was appointed 3rd July, this year I know nothing of ill treatment of prisoners Have never seen any difference in the treatment of guards on account of their religion I don't think the food at mess is properly cooked, and we have not sufficient variety

G. W FRANKS.

CHAS PRIEST sworn.—Am Prison Guard. Was appointed 5th January, 1875 I know nothing of cruel treatment of prisoners. Have never seen any difference in the treatment of guards on account of their religion

A C PRIEST

WILLIAM HARDIE sworn —Am Prison Guard. Was appointed in August, 1874 About four months ago, prisoners Dillon and Carson attempted to escape, and were found at three o'clock on Sunday morning, and brought into the corridor I saw the Deputy Chief Guard (Stedman) beat them with a stick. He struck them both several times, it was a walking stick; I saw nothing more I have seen no difference in the treatment of the guards on account of their religion. I knew Mr Beaumont, I served in the 13th Hussars with him, I was sergeant, he was sergeant at the same mess with me for about two years, I was with him ten years in the regiment. At the time I joined the regiment he was under arrest for theft or something. He was tried by a District Court Martial and sentenced to imprisonment in a military gaol. I cannot say how long it was—either forty two or fifty-six days—and he was reduced to the ranks; the crime was making away with the soldiers clothing. He had been seven or eight years in the regiment before I entered it. Since I came to the Central Prison Mr Beaumont spoke to me about our being in the Hussars together—and also spoke about the cause for which he was tried and said that at the time of his appointment to the office of Chief Guard, he explained all to the Government. He told me some one had written to the Government after the appointment informing them as to his difficulty in the army, and I think that caused him to tell me

W HARDIE.

Adjourned until 2, p.m. tomorrow

Investigation resumed, 3.30 p m., 7th November

W J AIKINS, sworn.—Am Surgeon for the Central Prison was appointed at the opening of the Prison; knew prisoner Lewis, I certified on the 5th January 1875, that he was insane, I understood Dr Richardson and the County Judge also examined him separately, and gave similar certificates, he was sent to the London Asylum, 19th July, 1875, I have

no other entry regarding Lewis, and have no recollection of anything further as to his insanity; I have a distinct recollection of being told that Lewis struck Stedman...or struck at him, with a part of his bed, but I cannot say whether it was Stedman told me or not; I heard that Stedman had struck him with a key. I don't think I examined Lewis's body, I don't recollect Lewis making a complaint to me in reference to my diary, I find the following entry under date February 19th, 1876 "Lewis, William Guard, and John Elms, prisoners insane sent to London Asylum this morning", Elm had fallen while marching in the square and severely bruised his right arm; it was uncertain whether there was a fracture without displacement and crepitus, it was still very much discoloured when he left the Institution, I do not recollect anything about Lewis being ragged; I understood the rules of the prison required that I should be present on all occasions when corporal punishment was inflicted, I was not present when prisoner Finlayson was flogged in January, 1875 and until lately never heard he was flogged, I knew prisoner Dillon, I remember him having a contused cut on the upper and left part of the forehead, which did not extend to the bone, or to the covering of the bone, I ordered a poultice to be put on the wound. I understood he had been struck by Mr Stedman; I think it was after his capture, he, Dillon, had escaped and was recaptured. I know prisoner Coub, he was one of the Reformatory boys he was a soft, growing lad, I understood one day he had been sent out to the stone pile, on the 23rd March 1875 he came into his cell and on the 25th March was sent to the Hospital, he died on 3rd May of pleurisy and inflammation of the lungs, I think I know prisoner Farrell on the 27th April, 1876, I visited him in a cell—I do not think it was the dark cell. I found him feverish and ordered him a warm bath and a powder to act as an emetic and purgative this statement I make as reference to the Hospital day book, no further entry is made with reference to him, if he had not been better, there would have been an entry Have heard Eames's evidence read and it may be correct that I visited Farrell in the dark cell. I don't recollect prisoner O'Shaughnessy there is an entry in the Hospital day book Mar 12. 1875, "O'Shaughnessy constipation, dose of salts and senna", last night Mr Stedman showed me some of the charges against him and I find he was placed in irons 7th Mar. 1875. I knew prisoner Gordon he was being treated for gonorrhœa and swelled testicle on the 16th, 19th and 20th June 1876; on 21st was sent to the hospital, I can't say whether I saw him in the dark cell or not, his discharge from the hospital has not been entered but he was evidently out of it by the 4th July, as on that day he had his testicles strapped, and was able to work and did not remain in the hospital, and on the 9th he was treated again but was able to work. No charge of cruelty to a prisoner or any person has been made to me as Prison Surgeon, I don't remember dressing any wound for any prisoner other than Dillon and Gunstock, Gunstock had bruised marks across the small of the back and side, I understood he had been punished and I thought they were pretty severe, the flesh was well discoloured but the skin not broken; I don't recollect any prisoner reporting any cruelty or any undue severity while in irons. I cannot give the date Guard Bollard asked me to pronounce whether a prisoner then in the dark cell was fit to be put in irons again, he had been in irons and I think he had been let down prior to my seeing him, he was a delicate lad about 15 years of age, and I gave my opinion that he was not fit. On another occasion—I can't give the date or name—I was asked to see a man who was in irons, and found he was spitting and coughing and told the guard he was not a proper case to be put in irons, and he was taken down, some six weeks ago I was asked to see a prisoner in irons and I found he was fit for that kind of punishment, on several occasions I have been asked to visit prisoners in irons, sometimes the Warden and at others Mr Stedman or one of the guards would ask me to visit prisoners in irons. I don't recollect being called to see Dillon, Hickie, Spackman, O'Shaughnessy Wells, Farrell, Bray, or Collins while they were in irons, I think it is likely I was called to see them, but don't recollect, I have sometimes talked to prisoners when the tears would come into their eyes, and when they expressed penitence they were taken down without my asking; I find no reference in the hospital day book that on August 8th, 1876 Horrigan presented himself as sick, and had a dose for alleged indigestion; I did not consider him sick, but gave him the benefit of the doubt, on the 11th of the same month he complained of a pain in the shoulder, I gave him some hartshorn and water with which to rub his shoulder; he did not appear again; prisoners often believe they are sick when they are not, and I am satisfied they often feign sickness when well, I have often remarked to

Stedman that prisoners feigned sickness, or that they believed they were sick, I have heard a prisoner say who was in irons, that he would rather be in irons than work; my opinion is that it is better to flog a man than to put him in irons for over 48 hours, I think it would be more wholesome to the rest of the prisoners and more effective as a punishment, I think the prisoners prefer being in irons for a long time to flogging.

W. J. AIKINS.

ROLAND B. ORR, sworn.—I am a final student of medicine. Was attending at the Central Prison Hospital under Dr Aikens for about six weeks—from 6th May until m June, 1876. I was there every day, sometimes twelve hours at a time. I was alone with the sick prisoners, Beaumont was not there. Stedman was Acting Chief Guard. Don't know the time when prisoners sentences expired. Some left during sickness, others had to remain three or four months after they were cured. I had no conversation with prisoner Dillon. I asked several of the prisoners in the hospital how they were treated; my reason was that I had seen charges of cruelty in the papers. A very large majority of them said they were well treated. I did not hear them express an opinion regarding Stedman. Some complained of their treatment, but it was generally confined to the Prison diet. Shortly after Dillon was struck by Stedman some of the prisoners were questioning me about it. I said that the guard had been kept up during the night to try and find Dillon and Carson, and the majority of the prisoners said it served them (Dillon and Carson) right, that they had no business to try and do what they had done. Did not know a prisoner named Comb. I took my meals in the guard-room. Sometimes one or two guards would be present. I have heard the guards complain of Stedman being too strict; I cannot recollect of any prisoner complaining of any ill treatment by Mr Stedman. Am twenty four years of age. From what I heard the guards say, I should judge they had more liberty under Mr Beaumont than under Mr Stedman, and that they preferred Beaumont on that account.

R. B. ORR.

Adjourned.

Investigation resumed at 8.30 p m

Dr AIKINS' examination resumed.—I find that on 27th April 1876, when I ordered the warm bath for Farrel I visited the Prison at 10 o'clock in the morning, and did not visit it in the evening. If a person's head was jammed against the prison cell wall until the blood ran from his ears, the probability would be that his skull would be fractured—and he would be insensible, no such case has come under my knowledge since the opening of the Prison. I have known Mr Stedman ever since the Prison opened, I consider him a sober, exceedingly industrious, very intelligent and active man, and, so far as I am able to judge, he has discharged his duties with a great deal of intelligence and zeal, and if he has erred it has been from excess of zeal in endeavouring to make the management of the institution as perfect as possible. I have never seen any harshness on the part of Mr Stedman to the prisoners. I have frequently seen him when a man would come up saying he was sick, give him a quiet poke to the side and say "I guess there is not much the matter with you" and frequently the man would laugh. He has displayed an interest in the physical welfare of the prisoners, by calling my attention from time to time to the quality of the food, or the way in which it was prepared; also to the clothing of the prisoners, and on one occasion particularly, when he called my attention to the fact that prisoners during the colder part of the year, should not be allowed to take off a thick flannel shirt and put on a thin one. On another occasion, he called my attention to the want of ventilation in the kitchen, owing to the door leading to the store-room being closed; he also called my attention to the prisoners being taken out in the rain. He is a thorough disciplinarian, and any man discharging his duty fearlessly at the Central Prison will make enemies, and Mr Stedman has made enemies. I have heard no complaints on the part of the guards against Stedman, it was a sort of undercurrent of grumbling.

W. J. AIKINS.

RICHARD STEDMAN, sworn.—Am acting Chief Guard. Was appointed Deputy Chief Guard at the opening of the prison and on the dismissal of Beaumont on 8th March, 1876.

I was appointed acting Chief Guard. I am not aware of being overbearing to Mr Short (the Bursar). In making requisitions, I acted under and in accordance with instructions from the Warden. I never said to bailiff English that the Chief would soon occupy Mr Short's chair, and that I aspired to the Chief's position. I did not consider Mr English fries lily to me, and did not give him any confidence, in fact I was on my guard when talking to him. I did not indulge in expressions of hostility towards any of the guards. I have had frequently to report, more than any one else, the cook (English) for smoking, reading newspapers, and being asleep in the kitchen. Sometimes McCarthy (the Steward), is friendly, sometimes not. I have had to report him, but cannot now say what for. I have frequently had to report Guard Axworthy as he was very careless. Guard Coutts was insane. I had to report Gracy. I have reported guards whenever I found it necessary with out fear or favour. I have never spoken to any prisoner about the officers of the prison, and have not on any occasion invited the confidence of a prisoner. I did not strike prisoner Hunt as stated by Mr Short. Prisoners' hair was always cut short up to the day of release, until about a year ago since which time we do not cut the hair for a month prior to their release. I used Hunt just as all the others were used, and acted in the matter of hair cutting under orders of the Warden. Withs was insolent to one of the guards, and as a punishment the Warden ordered him to be removed from the stores to the stone pile. I never cut up any prison sheets for my own use. There were four sheets made into clothes for a black coloured boy (a prisoner). we had no clothing small enough, and Mr Beaumont ordered them to be cut up. I knew prisoner Lewis, he was one of the first prisoners moved in. He was a very treacherous man he struck a prisoner over the head with a shovel in the foundry, about the end of December 1874. While I was on duty in the corridor, there was a great row in the corridor, I went out and the corridor guard came up and said prisoner Lewis was breaking up all the furniture in his cell. I told Guard Doherty and two of the other guards, I forget their names to go down and bring him (Lewis) out of his cell down to the dark cell where there was no furniture. I then reported him to the Warden. This was about half past nine p.m. I reported him to be breaking up his cell furniture, and tearing his clothes. He told me to tie his hands behind his back and gag him, to prevent his making such a noise. I went back to the guard room and got a cord and a piece of pine wood and made a sort of gag. When I got to the gallery I found the three guards outside of Lewis's cell, and Lewis inside defying them to come in. I told them to open the door and let me get in as soon as the door was opened Lewis flew at me with a piece of iron he had taken from his bed. I had a long key in my hand and I struck him across the buttocks, and then closed on him, and we both fell to the ground and that is the time he got the licking with the key and the rope both. When he and I were clenched together, Guard Doherty tied his hands and I gagged him. We then left him sitting my on a part of his bed. Guard Doherty is not in this country. I told the night guard to visit him frequently. I reported to the Warden next morning that I had struck the man with the key, and that Lewis had struck at me. The other guards—I don't know their names—struck him with their keys when he and I were down. I struck Lewis in self defence. Up to that time I never heard of his being insane. I did not hear any of the guards speaking about his being out of his mind. I told the night guard to report to me if he saw anything wrong; I gave no orders to him about the gag being taken out if quiet. In about three quarters of an hour the guard came to me and said "It is very little use tying that man he has got his hands in front and has pulled the gag out of his mouth." He was found tied all right, but his hands were in front of him. I gave Finlayson 15 lashes across the buttocks with a rope's end, Finlayson was about 19. The Warden ordered me to inflict this punishment. Beaumont then commenced and flogged him over the head and shoulders with a white oak stick. He was very faint when I took him down and was covered with marks from the small of his back to the top of his head. The Warden did not order the beating by Beaumont. He had secreted himself with the intention of escaping and the punishment was for that. I remember bailiff English being brought before the Warden for making a noise the night previous, but do not recollect the particulars. I had nothing to do with Newton's statement, had not spoken to Newton about it. When it was my night on, I have often sat up until 12 o clock at night when it was known the Bailiff was coming with prisoners. There is an order preventing boys going through the prison. I did ask Mansell if he was not aware of the

order against children going through the prison. As regards the charge made by Mr McCarthy as to my keeping on my hat at Catholic service, and not allowing the man to kneel I may state that it was fully investigated in 1875, and Mr Crooks disposed of it. So far as I am concerned, by ordering me to be censured. Since that I have never used any objectionable language to a Catholic guard reflecting in any way on his religion. The charge that I was ordered to hound down McCarthy is not true. The charge as to Guard Somers was investigated in 1875, and disposed of by Hon Mr Crooks. Mr McCarthy's charges were all made at the investigation held in 1875, and were adjudicated upon I produce the stick I generally use when on duty. It is a very light cane; I sometimes use other canes, but they are all light. I have often tapped Gibbons on the heels to keep him in step as well as other prisoners. Other guards have done the same. Sometime ago, the Warden ordered that practice to be discontinued, and it has not been practised since. The Warden made the order on account of Guard Mansell striking a prisoner in the front grounds, across the back, the Warden saw it. The general practice was to tap men on the heels to get them into the step. There are standing orders that for certain offences prisoners are to be put in irons, and then reported to the Wardens, and in other cases for them to be put in the dark cell and then reported. I don't think these orders were in writing. The offences referred to were :—all acts of violence fighting threatening the guards, and all insubordination and refusing to work; for these offences the prisoners were to be put in irons and then reported. For talking smoking or other minor offences the prisoners were to be placed in a dark cell, and then reported to the Warden. If a prisoner said he was sick, and I thought, when reported to me that he was scheming, it was in order that I should put him in irons and then report. There were no chairs made in the prison for me. I made two chairs for myself. I made a table in the Guard Room and inlaid it myself. I got the board planed in the prison. I made the box myself, and the inlaid work I did myself. I bought the different sorts of wood down town. The Warden gave three trees to Guard Umacke. I gave him none. Prisoner Walter Jones was a waiter in the guard room. He cut bone work for every guard then to the prison. I can't say how much he cut for me. He worked in my room for the vice and tools are there. Prisoner McCarthy painted for me in my room. The Warden gave permission. He painted pictures for the Warden, they are now in the building. He painted pictures for Chief Guard Beaumont, Guards Newton, Hill Gifford, Eames, Johns and myself. The pictures—all but those of the Warden—were taken away some by consent of the Warden, I can't say as to the rest. McCarthy was not able to work at anything else. I did not strike Jones or any other prisoner sufficiently hard to take the skin off his fingers or to cause it to come off. I took either meat or bread from a prisoner he who had placed it in his hat, and struck him on the ear with the back of my hand. It may have been Edwards.

Adjourned.

Resumed 10 a.m. 8th November, 1876.

R. STEDMAN'S examination continued.—I knew prisoners Dillon and Carson, about two months ago they secreted themselves with a view to escaping from the prison. They were out two nights and one day before being found. I received instructions from the Warden that when I found them I was to give them a good licking. I did so. I gave them six stripes apiece over the shoulders with my walking stick. It was an ordinary walking stick and not very heavy. It was not the small walking stick produced yesterday. The cane I struck Dillon and Carson with had cut a ferule on six inches long. I then put them in the bath, and after washed them found that Dillon had a scar on his head. I don't know whether I had done it or not. I don't think I did. He had been poking around in the dead of night and may have received the injury in that way. I have no recollection of telling Dr. Aikins that I struck Dillon on the forehead. They, (Dillon and Carson) were then placed in the dark cell in irons for 36 hours, and were leg irons during the balance of their term in prison. I did not knock prisoner Dillon down with my stick. I knew prisoner Comb. About April last, I received a report that he was sick and unable to work. I went out and found him lying in a box covered up with

prisoners' clothes. I made him get up. He said he was sick and not able to work and that he was not scheming. I sent him inside to his cell. I have no recollection of having put a hand on him. There was no occasion, he was quite a soft boy, and well behaved up to the time of his attempted escape.

I knew prisoner Hagle. He made me boots and shoes upon requisition and I paid for them. I can't say how many pair I got made. There were two pairs boots, and one pair shoes. There may have been more. I have had boots and shoes repaired. It was the custom of the prison and other guards did the same. I remember reporting Gifford for bringing in his men to bathe before time. It came to my knowledge afterwards that Guard Umache had bathed his men before Gifford. Why I did not report Umache I can't say. I do not consider Umache a friend of mine. I don't remember reporting Guard Gifford and Doherty, and not reporting Umache, in December, 1874. I never made any change in my practice in visiting guards owing to any supposed, or real difficulty between us. Last January, prisoner Fahy was in the guard room, as waiter. In the evening he brought a revolver to my room, stating he had found it in his cell. I took it from him, and asked him if he knew whose it was, he said "no," and I put it in my drawer. In the morning, I handed the revolver to Mr Beaumont, and reported the circumstance. Beaumont laid the revolver on the table in my room. He then paraded the wall guards, and came back to the room, and then went out. I went up some time after, and found the revolver on the table. I placed it behind the cushion in a chair. There was no one in the room at the time, but a prisoner may have come in afterwards. The Warden investigated the matter, and it was found that the revolver belonged to Gifford. I told Gifford the revolver was on a chair behind the cushion in my room. The revolver was loaded. I did on two or three occasions, find Guard Umacke's revolver lying on the bed in the dormitory. I did not report him, but threatened to do so the last time, and have not seen a revolver in the dormitory since. There have been two or three raffles for watches in the prison. Don't remember anything about armoury being opened. I never told Guard Gifford I had let prisoner Barber see a visitor (Joyce) and that I was afraid of being dismissed. I could not have done so, as the Warden gave his permission. I never heard an order read requiring the cells to be unlocked by guards only, and the Warden told me nothing of the kind. My recollection is, that there were two or three complaints made against Mansell, by Gifford, and that I reported to the Warden in the yard, verbally. Mr Beaumont gave me the labour of a prisoner to upholster a lounge, and the work was charged to the Canada Car Company. I knew prisoner O'Shaughnessey. On the first May, 1875, he was ordered by the Warden to be placed seventy-two hours in irons. At the breakfast hour when the man were marched down to breakfast he was not pleased with his breakfast, and threw it across the table, saying if he were the boys he would not take it, he also at that time swore at me before the prisoners and threatened me in the words "I'll do for you, you G——d d——n son of a b——h," I reported this to the Warden who ordered him to be put in irons 72 hours, he was placed in irons and the instructions to the guards were that he was to be taken down to use the bucket, he should have been taken down to his meals and put in irons again, he should not have been taken down at night, I cannot say how it was as to O'Shaughnessey, prior to this O'Shaughnessey was one of the worst prisoners we had, and after that, one of the best, I never said to Guard Eames 'let the b——r die,' he is correct as to the food, prisoners in irons are allowed a pound of bread a day and water, no prisoner has been confined five days and nights in irons since the opening of the Prison. When I went into the cell to prisoner Hickey (as stated by Guard Umache), it was between eight and nine, and it was dark, I released Hickey—he was in irons for insubordination—myself, and when I had loosened one hand and he had possession of his left, he said he would not allow any black son of a b——h like me to take him to the dungeon, when he was saying this Guard Umacke was unfastening the shackles from his legs, I struck Hickey on the side of the ear with the back of my hand, and that but once, I don't recollect striking Gibbons, I did not poke my cane against Carson's ribs, I recollect the prisoners referred to by Guard Lyons, they were Gunstock, McKenna and Penroy, after they were found they were struck by all the guards present, I struck McKenna, it was for secreting themselves they were struck, they were placed in irons for 24 hours, I do not know whether they worked in shackles or not for the balance of their term, I have no recollection of the cir-

cumstances referred to by Cook Cunningham as taking place in June 1876; I never kicked an old man down stairs, I never struck prisoner Spackman, Guard Johns statement as to my striking Spackman and to the expressions I used to him (Spackman) is untrue; the Warden was present all the time; I never struck prisoner Harrigan, he was in the north wing, and Guard Johns reported him sick; I asked Harrigan what was the matter he said a pain in his arm, I took hold of the arm and lifted it up to see where the pain was, and he cried out, as he had often done before I told him there was nothing the matter with him, and he would have to go to work and I put him in irons and reported to the Warden who said I was to leave him there until the doctor came; I can't say how long he was left there, I went to him some time after he was making the same complaint, and thinking there might be something the matter with him I took him out of irons the doctor visited the prison shortly after and examined Harrigan, and told him there was nothing the matter and sent him to work I did not punch him in the ribs. I knew prisoner Farrell, some time in April or May this year I found him in his cell asleep with his clothes on including boots and hat, this was the marching out time in the morning, he complained of being sick and I took the Doctor to see him; he ordered him to have a bath and to be sent to work next morning I sent him to work next morning the morning afterwards he came to me and said he was sick and unable to work I said I thought there was nothing the matter, and that he could either go to work or to the dark cell he said he did not care a d—n whether he went to the dark cell or not I then put him in irons, that same morning I reported the offence to the Warden and that I had placed the prisoner in irons, in passing through the dining hall a guard told me (I think Eames) he thought Farrell was sick, and I told him to take him out of irons, and to leave him in the dark cell until the Doctor came, the Doctor came, and on examining the prisoner pronounced him well, and sent him out to work he worked in the fire hole for the Car Company, and did not complain of sickness afterwards. I knew Bany a prisoner, I ordered him to be put in the dark cell for threatening me in the yard. I forget the date, Guard Johns came and told me Bany would not be put in irons, just then the Warden came along, and I told him I had ordered Bany to be put in irons for threatening me, and that he had refused to be put in irons, he went down to the dark cell with me I went into the cell, and when Bany refused to be put in irons, I drew my revolver to frighten him (it was not loaded at the time), but he still refused, saying he would not go in irons unless the Warden ordered him; the Warden then gave the order and he allowed me to put him in irons, I never ordered Guard Johns not to lower Bany down for any purpose or to put the bucket on a chair when he wanted the bucket; prisoner Wells was put in irons but I did not order Johns or any other Guard not to lower him down for any purpose, I saw Wells down sitting on the bucket myself, Wells was not in irons more than once, I do not remember saying to Guard Eames on my return to the guard-room after the trouble with prisoner Lewis, that the key was bent.

Adjourned.

Investigation resumed at 2 30, p.m., 11th Nov., 1876

MR. STEDMAN recalled.—About the beginning of this year I was passing through the dining hall and found Collins quarrelling with one of the tailors, and threatening the tailor with a pair of scissors. (The prisoner Collins was serving out a two years sentence for stabbing.) When I spoke to him he was very insolent, and I brought him before the Warden who ordered him to be put in irons, Guard Eames took him to the dark cell, and returned to the officer and stated that Collins would not go into irons, and he could not put him in, I went to the dark cell and told Collins he must go into irons, he would not and I then threw him down, and while down he kicked me in the breast and once in the privates, the last kick I am not over the effects of yet, I put the irons on and put him up to the ring, I did not pass his head against the cell wall, the punishment was to have been 56 hours in irons, but the Warden visited his cell the next day, and on his promising to behave himself in future, ordered him to be let down and he was taken down and sent to work I never presented a revolver at Gunstock I did order Gordon to the dark cell, he had been discharged from the hospital by Dr Aikins a day or two before, and refused to work, and I told him he must either work or go to the dark

cell; he said he would go to the dark cell, and I sent him there. The same day, or the day after, Eames said he would take Gordon as a cleaner and he was allowed to work under Eames as a cleaner. I have had conversation several times with Dr Aikins about prisoners shamming or pretending sickness when quite well. The Doctor has often examined prisoners who said they were sick and has sent them down to work, as he found there was nothing the matter with them. The Surgeon visits the Prison at irregular hours, sometimes at 10 a.m., and at all hours from that until 8 p. m. He does not come every day. Sometimes Dr Wagner comes. Sometimes a day elapses without either of them being here. The rules require the Gaol Surgeon to visit the Prison at least once a day, not later than 9 a.m., and oftener if required. It is almost impossible to tell whether a prisoner is shamming sickness or not, if the Doctor is not present.

All these charges brought against me for putting prisoners in irons, are cases when the other guards were unable to put them in.

I was sent to Albany before the opening of the Prison under instructions from the Inspector and Warden, for the purpose of learning the management and discipline of that place. I saw one or two prisoners punished; they were placed in irons, and a black cap drawn over their heads, so that they could not see, the ring is placed the same as in the Central Prison. I don't know the character of their offences or the term of their sentence, the treatment of the prisoners in that institution is much more severe than here.

I never reported anything to the press since I was appointed Deputy Chief Guard in 1874. If the other guards cannot put a man in irons, they come to me. There was a prisoner of the name of Ormond who one morning, would not come out of his cell to work; three of the guards went to bring him out but were afraid to go in to his cell, so they sent for me and I brought him out and placed him in irons in the dark cell. after he was in irons Beaumont took off the prisoner's boot, and beat him over the head, and cut his head open in two places, that man was never reported to the Warden; it was Beaumont's duty to report. he was kept fifty-six hours in irons, I told the Warden about it one or two days afterwards. A prisoner named Quinn would not leave the cell, and when I went to the cell I found Beaumont beating him with a stick. I refused to bring the prisoner out. I once found a knife on O'Shaughnessey when I was putting him in the dark cell, It may have been the time referred to in the evidence given by the guards.

RICHARD H. STEDMAN

CHARLES BRANDON, sworn.—Am head foreman in the Mechanical Department of the Canada Car Company's works in the Central Prison, I never saw any cruelty to prisoners, they are not punished in my presence; when prisoners have been in irons, I have noticed their wrists were swollen and their arms would be stiff. There has been no ill-treatment of prisoners inside of the shops so far as I knew. I never was employed in any industrial prison before. About March, 1876, prisoner Perkins reported to Guard Kirkpatrick that he was sick and unable to work; the guard told me he reported himself sick; the prisoner was brought back, and left standing near the door, I thought Perkins unfit for work.

A. BRANDON.

Adjourned.

Resumed 3 p.m., 15th November.

GUARD NEWTON recalled.—The bone and ivory work referred to by me in my former evidence consisted of ear-drops, crosses and other ornaments for watch chains. I don't know whether Jones made bone-work for other guards or not, I have seen bone ornaments on other guards, and hair watch-chains, but don't know how they got them. I never had any bone-work made by prisoners. This was prior to May, 1875 the Warden about that date, issued an order forbidding guards having any work of the kind done by prisoners.

Mr Stedman told me the bone-work was for him. I think prisoner Lewis was confined in his cell, because he was considered insane, I understood so at the time. the next morning after Lewis was beaten, I heard it talked about by the guards; I never heard any of them say

that Lewis had offered to strike Stedman before Stedman struck him with the key or that he resisted in any way nor did I hear that any of the guards were afraid to go into Lewis' cell I have seen prisoners resist when being put into the dark cell It is a common thing to find knives and files on prisoners. I think they get those things for carrying on bone work in the cells.

E NEWTON

GUARD EAMES, recalled.—After Lewis was struck by Stedman it was talked about by the other guards, I did not hear any of them say that Lewis had offered to strike Stedman before Stedman struck him nor that any of the guards were afraid to go into Lewis cell. Before Lewis was struck, he was considered insane, he was allowed to go around the prison yard, and not made to work.

I have put men in the dark cell and on searching them have sometimes found knives and files. I never knew or heard that any prisoner had drawn a knife or file on a guard

H EAMES

GUARD JOHNS, recalled.—I assisted Guard Eames in putting Farrell in irons about April of this year I cannot state the time I put prisoner Wells in irons, I put the prisoners who are in the north wing in irons when ordered no other guard does this duty unless acting Chief Guard Stedman who sometimes puts prisoners in irons himself I recollect guards in the guardroom talking about Stedman striking Lewis with a key I did not hear any of the Guards say that Lewis offered to strike Stedman before Stedman struck him I did not hear that the other guards were afraid to go into Lewis' cell. I sometimes find knives and files on prisoners when searching them in the dark cell, they never offered to strike me with a knife or file, I never heard of a prisoner drawing a knife or file on a guard

W JOHNS

GUARD MANSELL, recalled.—The night Stedman struck prisoner Lewis, I was not afraid to go into his cell; Lewis did not dare me and other guards to come in, I opened the cell door, I could see all that took place in the cell, I think we had a lantern with us; Lewis had nothing in his hands he was looking at the top of his cell, and was not looking at us. He was shouting at the top of his voice and seemed to be frightened at something that had occurred previously to our going in Lewis did not take hold of Stedman; Stedman threw him on the bed and Lewis continued shouting when Stedman struck him with the key; I can't say how many times, but more than once Stedman took hold of the key about one third of the way up, Mr Stedman did not say to me that Lewis had offered to strike him, There was a stone which would weigh about three or four pounds in the cell it had been broken off the stone corner of the cell, Lewis did not have that stone in his hand when we went to the cell, the bedstead in the cell was made of iron, I did not notice that it was broken the leg of the bedstead, or a piece of the frame work might be broken off by a strong man, had the leg been broken we must have noticed it when Lewis was thrown on the bed, I was the corridor guard on duty that night, one of the reasons why I thought him insane was, that when he was asked a question he would answer as though quite a different question had been put to him; he appeared to be gloomy and absent minded he never spoke to another prisoner to my knowledge; I considered him a man who might commit suicide the beating took place not over a week previous to his removal to the London Asylum; I went round several times in the night, and the last time I went round he was still hand bound, his hands to the best of my recollection were behind him, the blow was as hard as Stedman could give in the position he was placed in I think Stedman struck him before he threw him on the bed but am not certain I have seen prisoners make resistance and heard of it very frequently, I have often found knives and files on prisoners, have never known a prisoner draw a weapon on a guard, Mr Stedman told the guard that a prisoner had taken up a hammer to strike him, I have heard of guards sending for Stedman when prisoners were answering ugly; O Shaughnessey was undoubtedly a very bad man and would not hesitate to say anything and I believe would do bodily injury, I have never heard any expression by any guard which would indicate they desired to get rid of Stedman, Prisoner Hickie was a nasty tempered, and a dangerous man, I have

seen him domineering over an old man, and when the old man would not do what Hickie wanted, he got into a passion and said he would strike him if he had been outside.

WM J MANSELL.

Guard UNIACKE recalled.—Lewis acted very foolishly. When he was asked a question, he would not answer. I think this was before he was struck with the key. I heard he had tied up a bundle in the shape of a man, in his cell. I remember the guards talking about Lewis being struck. I heard Doherty and others talking about it, did not hear them say that Lewis offered to strike Stedman before Stedman struck him. I did not hear any thing about the guards being afraid to go into Lewis cell. I think I heard Guard Gifford say that he and Lewis had some difficulty one morning. I remember the time Mr Gifford refers to about the bathing. I met Mr Stedman at the door and he asked what I brought up my men for? I said "It is four o'clock." He said, "No. Cannot say whether I met Clifford's gang or not. I remember prisoner Hawkins, about four weeks ago I heard some one calling in the dark cell. I went to acting Deputy Chief Guard Newton and told him Hawkins (the prisoner,) was in a fainting condition. Hawkins face was pale. I did not hear Hickie say to Stedman in the cell he would not allow any black son of a b—h like him to take him to the dungeon; he might have said so but I did not hear him. I did not hear Stedman strike him in the cell. It was outside where I saw Stedman strike him. He was very noisy in his cell. Outside the cell I saw Stedman strike him, as given in my evidence. When we took Hickie out of his cell, I walked by his side and Stedman said, "Hickie you are not going to carry on any of your capers here" and struck him. I do not think Hickie said anything after he left the cell until he was struck. He struck him with the back of his hand. I think his fist was clenched. I think I am certain. I was close to Hickie, and by the pressure of Hickie against me when struck I think Stedman's fist must have been clenched. Hickie was a bad man,—he had a very bad character before coming here, he had a dangerous look, and was considered dangerous, and had threatened Guard Somers. I have found knives on prisoners. I never know or heard of prisoners offering to strike guards with knives or files or other weapons.

M UNIACKE.

Adjourned.

Resumed 7 30 p.m., 13th November

Guard GIFFORD recalled.—When Lewis was in his cell he was always reading his Bible, and would ask me the meaning of certain verses; from the peculiar character of the questions and his manner of asking them, I thought he must be insane, when I was on night duty I would hear him shouting in Welsh, the next day after Stedman struck Lewis it was a matter of general conversation. I never heard any of the guards say that Lewis had offered to strike Stedman before Stedman struck him, I did not hear that the guards who were with Stedman were afraid to go into Lewis cell before Stedman came up. I did not have any bone work made for me by any of the prisoners. I have found knives and files on prisoners. I am of opinion they got the knives for the purpose of cutting tobacco and the files to make bone work. The knives were made out of pieces of steel or iron, and stuck into a wooden handle. I never heard of a prisoner offering to strike a guard, either with a file, knife, or any other weapon. I never had any trouble with Lewis, I never told Uniacke I had. Hickey was a quick tempered man. O'Shaughnessey was a quick-tempered man.

WM. GIFFORD.

Guard HILL recalled.—I witnessed a raffle in the guards' sleeping apartment in April, 1876. The armoury was in the dining room. I was in the guards' sleeping apartment when they were raffling. Guard Gifford came to me and drew my attention to the fact of the armoury door being open, there were three or four prisoners (guard room waiters) in the dining-room having their breakfasts, Mr Stedman was in the sleeping apartment taking part in the raffle. The corridor guards keep the key of the armoury. I did not tell Mr Stedman or any other guard that the armoury was open, and did not

shut the door The reason I thought Lewis meant was hearing the guards say so. I do not think a sane man would shout in the way he did, I do not remember anything being said about it afterwards by the guards. I did not hear that Lewis offered to strike Mr Stedman before Stedman struck him I have found knives and files on prisoners, I never heard of a prisoner offering to strike a guard with a knife or file. I heard prisoner Farrell say that he would knock some person on the head with his hammer if he thought he had any extra time to put in after his sentence expired

FREDERICK HILL.

D CUNNINGHAM, recalled.—At the time I saw Stedman strike prisoner Hickey I was about six feet from him; Uhlacke was forcing Hickey along; Hickey was very violent; he used some very abusive language; he called Stedman some very offensive names before Stedman struck him

D CUNNINGHAM.

DR AIKINS recalled.—In visiting the Prison I have been brought into constant communication with Mr Stedman, and have had the very best opportunity of forming an estimate of his ability as Chief and Deputy Chief Guard, also of forming an opinion as to his disposition, and I have no hesitation in saying that in my opinion, Mr. Stedman is not a cruel man, prisoner Perkins may have complained of being sick and sent out to work, but on no occasion has a prisoner been sent to work after being examined by me and found unable to work, until I discharged him as convalescent.

W. J AIKINS.

WM. STRATTON PRINCE, sworn.—As Warden of the Central Prison, was appointed prior to the opening of the Prison previously to my appointment I held the office of Chief of Police of Toronto for about 16 years, after being sworn in, and prior to taking charge of the Central Prison, I visited the following Prisons in the United States for the purpose of ascertaining the system of working and particularly as to prisoners diet, punishments and the general discipline—Albany Penitentiary, Massachusetts State Prison at Boston, House of Correction at Chicago, the Illinois State Prison at Jolliette, House of Correction at Boston—Michigan State Prison at Jackson—and the House of Correction at Detroit. These are all industrial prisons. The Albany State Prison, the House of Correction at Detroit, the House of Correction at Chicago, and Maine County Prison, accumulate more nearly to the Central Prison as to term of sentence, while in some cases the term of sentences is for life, they not receive prisoners for as short a time as twenty days. The Albany Penitentiary ranks first among American Industrial Prisons as to strictness of discipline, also as a financial success. With the approval of the Inspector I adopted the system of the Albany and Jolliette Prisons as my guide for discipline and management. During my visits to these prisons, I found the authorities exceedingly reticent as to punishments. I did not see any punishment record book. The system of punishment in Illinois, being the pumping of cold water on the spine, I did not approve of. I understood from the Deputy Warden that in Albany, Jolliette, and Massachusetts, the punishment in irons in dark cells ranged from 12 hours to 15 days, according to the offence and was regulated according to the conduct of prisoners while in irons I saw a prisoner undergoing punishment in irons,—he had been in irons for a week. He was said to be a very dangerous character, and would strike any of the guards he could get at. Punishment in irons in a dark cell was inflicted for insubordination fighting disobeying rules after repeated warnings, assaults upon officers, refusing to work, and repeated breaches of prison discipline. On my recommendation Mr Beaumont and Mr Stedman were sent to visit these Institutions,—Mr Stedman to Albany, and Mr. Beaumont to Jolliette, on their return they made a full report as to discipline, diet, and everything connected with those prisons. The Central Prison opened on 1st January, 1874. Mr Beaumont being the Chief Guard, and Mr Stedman the Deputy Chief Guard. I may state here that the dungeons in Albany and Jolliette Prisons were situated away from the corridors. In the Central Prison we had no dark cell or place of punishment. I was compelled to select 4 cells, two in each corridor, and convert them into dark cells, by putting a wooden door in front of the grated door I adopted, as far as possible, the system

carried on in Albany as to punishment, being guided by the information I obtained on my visit to the Prisons, and that furnished by Mr Beaumont and Mr Stedman, and in no case has a prisoner been confined in a dark cell, and in irons, continuously for more than 72 hours, and in only one instance for that time, and he was taken down to vassels, and to use the bucket; this was for insolence to the Guard and Foreman. After a prisoner has been for many hours in irons, I always ask him if he is sorry, and if he expresses penitence, I have him taken down; I do not remember the particulars of the insolence in the case referred to when the punishment was 72 hours. In awarding punishment, I am guided by the previous conduct of the prisoner the nature of the offence, and the age, health and constitution of the man. As a general rule, I have found the system of punishment effective in accomplishing the object desired. Mr Stedman's evidence as to cutting hair of prisoners heads is correct. About eighteen months ago I issued an order that the hair of prisoners was not to be cut for one month previously to their discharge and that order has been obeyed. I remember Stedman reporting that prisoner Lewis was shouting as I disorderly, and disturbing the whole wing, and that other prisoners were following his example, and that he was tearing his bed to pieces. I ordered him to be handcuffed with his hands behind his back and to gag him, it is so long ago, I cannot state positively as to Lewis being insane at that time if he was a lunatic, he was a very violent one, no officer made a report to me that Stedman struck Lewis with a key the first I heard of it was during this investigation; I ordered the Chief Guard to take Finlayson out and give him a good rope's ending; he (Finlayson) had concealed himself for two days and night's, and kept the guards up, that Beaumont struck him with a stick was not known to me, and I would not have allowed treatment of that kind had I known it. I gave verbal orders to the Chief and Deputy-Chief Guards that prisoners that are reported to them by the other guards for fighting were to be placed in the dark cell, and if in putting them into the cell the prisoners were violent, they were to put them in irons and report to me. Also, if prisoners refused to work and on being removed from their gangs became violent or insubordinate on being taken to the dark cell they were to be placed in irons and reported to me. If prisoners were found talking, smoking idling, or other minor offences they were not to be removed from their gang but reported for my disposal in the evening, after they came off labour, when they would be sent to the dark cell or deprived of their light, and of supper, according to the nature and frequency of the offence. If the prisoner reported himself sick, it was the duty of the Deputy-Chief Guard to keep him in his cell and then report to me, but not to put him in irons. Prisoner McCarthy was not able to do any hard work, and having nothing else for him to do I allowed him to paint two pictures for my room and some for the guards. I consider the pictures in my room the property of the Government as part of the furniture. I did say to Stedman to lock Dillon and Carson when they were found. I did not suppose he would strike him over the head with his cane as alleged by some of the guards. I never heard of a rattle taking place in the prison until this investigation. If I had heard of it, I am certain it would not have occurred again. I do not think I ordered Shaughnessy 72 hours in irons; my impression is I ordered him in irons until further orders, and that he was obstinate and was kept in irons for 72 hours. I do not recollect being present when he was put in irons. I visited him every day and found him stubborn and unyielding. His offence was insolence to the Guard and Foreman and refusing to work. He was a stubborn, dogged, troublesome man, and a light punishment, or a short term in irons, would not have had any effect. Prisoners in irons were in all cases to be taken down to meals, and to the bucket at 8 30 p.m., and at 6 o clock in the morning. During the night they could not be taken down without turning the crank, which bars all the doors, nor without disturbing all the prisoners in the wing, and waking up the guards in the dormitory to get the key. Guards were not allowed to strike prisoners except in drilling when a slight tap to call the attention of the prisoner to his feet or arms not being kept in the right place, was allowed. Even this has been discontinued as I found one of the guards had struck a prisoner over the back with his cane. One afternoon the Deputy Chief Guard reported that prisoner Bazy would not go into irons as I had ordered; I went to the dark cell and saw the man, He defied the guards, I told Stedman to put him in irons, Bazy defied him and when Stedman went to put the irons on Bazy said—"If the Warden says so, I will be put in irons." And he did not offer any further resistance. I

saw Stedman draw his revolver, and I heard him say to Bazy he would take no nonsense and that he had better be quiet Stedman afterwards showed me his revolver and it was not loaded.

W S. PRINCE.

Adjourned.

Resumed at 11 a.m., 14th November, 1876

STEPHEN LETT, sworn.—I am Assistant Physician in the London Lunatic Asylum, was appointed in September 1876 I remember that on the 19th February, 1875, three lunatics were brought from the Central Prison to the London Asylum, by the Prison Bailiff their names were John Elmes, Edwin Lewis and William Guard, when a lunatic is received from a prison or gaol by warrant, he is handed over to one of the chief attendants with instructions to examine the patients at once and see whether he is clean, has bruises or eruptions, &c, and if the lunatic is not clean, or has bruises on him or eruptions, the attendant reports at once to one of the doctors, the attendant would make a report in any case, in this particular case, I noticed there was something wrong about the motion of Elmes arm, and sent for Dr Alexander to examine him he reported the arm as being extensively bruised, and that Elmes could not raise it without the assistance of the other hand William Guard was, I think, reported all correct, Edwin Lewis was reported as having a bruise on his head, I may have said to the prison bailiff that one of the lunatics had been badly treated, if I did say so I must have meant Elmes the bruise on Lewis' head could not have been very serious or I would have heard of it, when lunatics throw or make a great noise we remove them to the refractory ward and sometimes give them a sedative or a stimulant, we never gag them or tie their hands behind their back, lunatics are frequently tied by the hands to prevent them destroying property, I have never seen lunatics with their hands tied behind their backs when Lewis first came in he was put in the refractory ward, owing to representations that he was an epileptic, and had hallucinations which might lead to homicidal acts we found Lewis quiet enough, he may possibly have shouted but I cannot remember his doing so he has not had a fit of epilepsy since he came to the Asylum, cases of tying the hands of lunatics are very rare indeed in the London Asylum, and when I say tying the hands, I mean that the leather muffs are put on

STEPHEN LETT, *M C P*

Dr Aikins' certificate as to the insanity of prisoner Lewis, is dated 5th January, 1876

The Doctor in his certificate states "he is unwilling to communicate in conversation, looks insane, imagines persons are laying snares to get him into difficulties. Is naturally depressed, sees visions, has communications from heaven, &c, &c He has not attempted or threatened to harm himself or others. It is alleged by the Central Prison Hospital Guard that he had an epileptic fit in church on the 3rd instant.

John Boyd's (County Judge) certificate is dated 9th January, 1875

Dr Richardson's certificate is dated 6th January, 1875

S. C WOOD.

Adjourned.

Resumed at 2 15 p.m., 14th November

Captain PRINCE, recalled.—I recollect ordering Collins to be put in irons, I also remember visiting his cell the next day and on his expressing contrition for his offence, I had him released from irons. I know that Stedman has been applied to, over and over again, to come and put prisoners in irons, and I have gone to the dark cell when Stedman has been putting prisoners in irons and have seen guards standing outside the cell and they appeared as though they were afraid to put the prisoners in irons themselves I have never shown any partiality to guards. I have found prison guards to be like any other men, some complaining of petty matters, others satisfied when fairly treated. When one has 18

or 20 guards to deal with, and all are required to submit to the rules of the Prison it is to be expected that instances will occur when a jealous or suspicious guard will think he is treated more severely than others, and that partiality is shown, but I am not aware of giving any cause I put in statement marked "W," and wish it to form part of my evidence.

W S. PRINCE.

(Statement marked "W")

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO
TORONTO.

Mr Stedman has been the support and mainstay of the discipline of the prison. He has devoted himself with energy and earnestness to enforcing my orders and the rules and regulations and without his watchfulness and truthfulness in reporting breaches of duty on the part of the officers of the prison I could not have attained the discipline, order and method which exists in the working of the prison at the present time. His thorough zealousness in the discharge of duty his truthfulness (for I have never found him in a falsehood) his strict temperance, and his unflinching resolve to observe and make others observe the discipline of the prison have been of the greatest service to the Government and to myself as Warden. In deed he is the only officer who has appeared to take the same pride in the prison, as I take myself, and to assist me by unusual capacities, and strict sense of duty, to make the prison what it is. The improvement of the front grounds is due to him, the laying out of which must have saved the Government much expense and this has been done by him in addition to his other onerous duties. The church services, Catholic and Protestant, were improved by him in the selection and organizing of an excellent choir He has succeeded in re-capturing single handed, four prisoners, who had escaped from the prison, and I can confidently state, that had it not been for his watchfulness in reporting circumstance to me, other prisoners must have escaped. That he has been acting Chief Guard more than eight months, during which period the prison duties have been conducted with efficiency in every respect, and apparently with complete harmony, that in my daily contact with the prisoners, I have on recollection of one of them having preferred any complaint against Mr Stedman, and in addition to my visiting the gangs both morning and afternoon, I have been in the habit of visiting the cells on Sunday afternoon, when each prisoner had an opportunity of making complaints had he desired to do so, and I wish further to state that not a single guard has ever complained to me of any ill treatment of prisoners by Mr Stedman.

W S. PRINCE.

ALFRED ELLIOT was Hospital Guard in January, 1875, and now in England states, I was standing by at the time Guard Johns refers to, when Stedman was putting Spackman in irons, and did not see Stedman strike Spackman, neither did I hear the words Guard Johns says Stedman used

W. S. PRINCE.

DR WM G WAGNER, sworn.—I have acted at different times since the opening of the prison for Dr Aikins, as medical attendant I have attended prisoners in the hospital in their cells and in the dark cell. I never heard any prisoner complain of his treatment Have never seen any act of cruelty on the part of the guards towards the prisoners. When Mr Stedman was Deputy Chief Guard, I was brought in contact a good deal with him during my visits to the prison I consider him a strict disciplinarian but I do not consider him a cruel man— I have never treated any prisoners for wounds received as punishment, except in one case, I forget the name of the prisoner, he had been fighting with another prisoner, and one of the guards struck him across the back; I don't remember looking at the wound. I prescribed oil.

W J. WAGNER.

Mr STEDMAN recalled.—I have served as an executive officer in the Central Prison from its opening with faithfulness, and discharged my duties to the best of my ability

For the last eight months I have been acting as Chief Guard. I deny the charges of cruelty preferred against me, and I assert that they are false and malicious, and that they would never have been instituted had I been indifferent to the welfare of the prison, and had been guilty of neglect of duty in concealing from the Warden derelictions of duty on the part of the guards, instead of reporting them to him. I have ever upheld the discipline of the prison, enforcing the rules and regulations and the Warden's orders, with strictness and impartiality. I would respectfully ask the Commissioner to compare my record of conduct with that of other officials. I beg to state that on the 3rd of July, 1874, Guard O'Brien was seen, when out on duty, drunk at a tavern at 4 o'clock in the afternoon, and stopping a traveller on the public highway, pointed a loaded revolver at him threatening to shoot him if he did not stop, and repeatedly fired off his revolver—loaded with ball cartridge—along the public streets. Capt. Prince dismissed him from the Central Prison, but he was shortly after reinstalled by the Honourable Mr Fraser, Commissioner of Public Works. He shortly afterwards got drunk and caused disorder and disturbance throughout the north corridor at 12 midnight. On the 14th November, 1874, one of the officers named Michael English, was absent, without leave from his duties from 9 a.m. till 3 p.m. when he returned to the prison under the influence of liquor, commenced kicking the prison doors calling out, and creating a disturbance and excitement among the prisoners. He had already been reported three times before. No action was taken in the matter although his conduct and character were represented by the Warden as unfit for a prison official.

RICHARD H STEDMAN

J B CAMPBELL, recalled by Mr. STEDMAN.—When I came to the prison I was a stranger. I knew none of the Guards. I was told by Gifford on one occasion to look out for Mr Stedman—that he was a dangerous man and would undermine me if he could if I gave him the slightest chance. From conversations I had with other guards I was led to believe they entertained an ill-feeling towards Mr Stedman. I thoroughly believe the ill feeling on the part of some of the guards, towards Mr Stedman is the cause of their giving evidence against him. I do not know of any conspiracy against Mr Stedman but I believe there is, from what I have seen and heard. Barnes Gifford and Hill have spoken bitterly of Stedman. I have never heard Umacke, Nowlen, Mansell, John Dean, Kirkpatrick or Butler speak against Stedman.

JOHN B. CAMPBELL.

W J MANSELL, recalled.—I was on duty as night guard the time Lewis was beaten by Mr Stedman. Properly speaking, I was the night patrol guard. There was no corridor guard on duty at night. I reported the shouting of Lewis to Mr Stedman. I did not say to Mr Stedman that Lewis was breaking up all the furniture in his cell. I did not know until this day that Lewis broke up his furniture. I never saw any broken furniture in his cell. I saw the stone referred to in my evidence, but nothing else in his cell that was broken.

W. J. MANSELL.

Guard BUTLER, recalled by Mr STEDMAN.—I have been a guard since 8th March, 1876. About two months ago Guard Barnes spoke to me about Dillon's case and, from what he said, I think he was trying to influence my mind against Stedman. Have heard Guards Barnes, Gifford, Umacke and Hill speaking unfavourably of Stedman. I cannot recollect the exact language. From what I have heard I have believed these guards were intriguing with Beaumont against Stedman. I do not speak of my own knowledge, but of what I have heard. Their language to me confirmed it. I never saw Beaumont speaking to these guards. I did see him one evening talking to Cunningham. The subject of their conversation was a letter in the *Irish Canadian* Newspaper. Beaumont said he wrote it. Cunningham said it was not bad. I cannot give the particulars as to what the guards said, which led me to believe they were intriguing. I did not hear any of the guards say they hoped Stedman would be dismissed. Some said they thought he would. I overheard Hill say to Gifford and Umacke "We would be very comfortable here, if Stedman was away." This was during the investigation. The other day after giving my evidence, Guard Barnes

asked me, had I been giving my evidence, and asked me what I had said in reference to Dillon I answered "Nothing" as I did not consider he had been ill-treated. He said he would have me brought before the Commissioner again, or expose me; that I ought to give evidence as to Dillon The next evening I saw an article in the *Telegram* newspaper, signed "Examiner," and believe Guard Gifford wrote it, or furnished the information to others to write it

WALTER BUTLER.

Adjourned.

Resumed at 11, a.m., 16th November

HENRY SOFTLY, sworn.—Am Mission Agent of the Prisoners' Aid Association, and in that capacity I have visited the Central Prison since its opening. I visit the prison every Sunday afternoon, I generally remain four hours. I also attend the Sabbath School every other Sunday along with a staff of forty teachers. We hold religious services every other Sunday, when clergymen of the various denominations officiate. The Catholic clergy have service every Sunday early in the morning. I visit the prisoners in their cells, and converse with them on religious subjects, and give them tracts. Some few of them give me their confidence, and tell me their troubles I remember prisoner Spackman showing me his back. There were red-coloured marks across his back but I did not notice that the skin was broken. He told me he had tried to escape He was apparently a very stubborn, bad man I could not make any impression on him; can't give dates. I recollect several prisoners, on leaving the prison, telling they had been kicked and beaten by Mr Steedman, the Deputy Chief Guard I have heard complaints of this kind within the past eight months, but not within the last two months Dillon complained to me on leaving, that he had been beaten severely by Steedman, with a stick, but I did not attach much importance to it, as I considered him a bad man. I never heard him swear or pray—he seemed to be hardened. Finlayson complained of being ill-used by the Chief Guard Camb did not complain of being ill-used I don't remember Lewis, O'Shaughnessey, Collins, Hickey Bazy Carson, Jones, Gibbons, Edwards, Hunt, Gordon Fairchild Farrell, Harrigan or Perkins. They did not complain to me. I remember Gumstock, but he never complained to me. I have heard several prisoners say that very bad language is used by the prisoners, and that they are not punished for it. I never heard any bad language used in the prison myself. I have not communicated to the Inspector, or any of the officers of the prison the complaints of the prisoners. Had I heard of any glaringly bad case, I should have considered it my duty to report it to the Inspector. Neither the Warden nor the Mayor of Toronto visited Sunday School. I don't recollect inviting them

HENRY SOFTLY

Adjourned

CENTRAL PRISON, Nov 17th, 1876.

J W Longmuir, Esq,
Inspector of Prisons, Toronto.

SIR,—Ever since I entered the service of the Central Prison, I have had but one object in view, viz., the discharge of the duties assigned to me, to the best of my ability, without fear or favour. This I can honestly say I have done, but in so doing I know I have raised up for myself enemies in every quarter, so many that I am afraid my usefulness as an officer of the prison is gone, that I may have committed errors of judgment, and perhaps in a few instances, in my zeal and honest desire to make the Central Prison, what I now consider it is, the Model Prison of the continent I may have erred sometimes in enforcing the rigid discipline, but only one having knowledge of the prisoners he has to contend with, and the necessity for promptly putting down every act of insubordination, no matter how trifling, can

judge what is best to be done; my conscience tells me that I have done nothing wrong in this way, but everything for the best interest of the prison. I do not wish to say one word against those who have conspired against me, as I feel that time will fully clear my character. Feeling however, as I do that by remaining in my position my enemies in trying to ruin me, will also try to injure the prison and that by remaining I would only embarrass the Government, I herewith tender my resignation of my position as acting Chief Guard and would request to be immediately relieved.

I have the honour to be, Sir,
Your obedient servant,
RICH'D H. STEDMAN

OFFICE OF THE INSPECTOR OF ASYLUMS PRISONS &c ONTARIO.
TORONTO, 21st November 1876

SIR,—I regret having to report, that the insubordination of a large number of the prisoners confined in the Central Prison became on general parade-day, as to amount to a preconcerted mutiny which unless it had been promptly dealt with might have resulted most disastrously to the discipline and government of the prison. For some time back it would appear that serious evidences of combined insubordination have been apparent but which became very marked at the prisoners dinner call yesterday, in the prevalence of a good deal of noise and turbulence. The alleged cause on that occasion was the insufficiency of the rations, which I may remark is the most liberal of any prison in Canada and fully as liberal as any prison in America, and if compared with the rations allowed to British soldiers will be found to be better in all respects. The average weight of solid food, besides tea and coffee, allowed to each prisoner per day is equal to 65 ounces.

When the prisoners dinner was finished they were marched out in gangs to their work, and 86 refused to proceed with their respective employments. The matter was reported to me, and I immediately proceeded to the prison, arriving at 2 30 p.m. I at once ordered all the prisoners to be formed into line in three gangs, the guards being present with loaded rifles and pistols.

I informed the prisoners that the rules of the prison would be rigidly enforced both in respect to labour and discipline, that insubordination in any and every shape would be instantly put down with a firm hand. I pointed out the liberal nature of the dietary showing that no reasonable ground for complaint existed. I asked all the prisoners who were instantly prepared to go to work to remain in line and those that were not, to step to the front. Four stepped to the front, and although further explanation was made to these four men, they persisted in their insubordination, when I ordered that fifteen lashes should be given to each on their bare backs, in presence of all the prisoners. On enquiry I found that one of the four prisoners was mentally weak and therefore not entirely responsible for his acts and who was therefore not punished. The other three were hardened or careless, the prisoners were again formed in line around the prison square, when the punishment ordered was proceeded with. I trust and believe that the object of the punishment has been fully accomplished, and that insubordination of this combined nature will be stopped.

I have also ordered that the use of the associated dining room shall be abolished, and that the dinners as in the case with the breakfasts and suppers, will be served to each prisoner in his cell. This I trust, will redress the means of communication with each other, and prevent combined action, which undoubtedly had been arranged yesterday.

I have the honour to be,
Sir,
Your obedient servant,
J. W. LANGMUIR,
Inspector

The Honourable,
The Provincial Secretary

SCHEDULE OF LETTERS AND REPORTS RELATING TO THE INTERNAL MANAGEMENT OF THE CENTRAL PRISON, TORONTO

1875

March 30—Letter from the Provincial Treasurer to the Inspector of Asylums, Prisons, &c, enclosing a Memo on the latter's Report on an enquiry held in the Central Prison

Feby 17.—Report of the Inspector of Asylums, Prisons, &c., of his investigation, including minutes of evidence taken 10th February, 1875.

" 18—Report of the Inspector on the escape of two prisoners, in the minutes of investigation.

June 11—Report of the Inspector of Asylums, Prisons &c., on the escape of a prisoner from the Central Prison on the 14th May, 1875

" 17—Letter from Assistant Secretary Eckart to the Inspector of Asylums, Prisons,&c.

" 30—Report of the Inspector of Asylums, Prisons, &c., on the escape of two prisoners on the 31st May, 1875

July 7—Letter from Assistant-Secretary Eckart to the Inspector of Asylums, Prisons, &c.

1876.

Nov 16—Report of the Provincial Secretary to the Executive Council, submitting the evidence taken at the investigation into the internal management of the Central Prison

Aug. 17—Letter from the Inspector of Asylums, Prisons, &c. to the Provincial Secretary Index to the Investigation

Oct 31—Minutes of evidence relating to the general management of the Central Prison

Nov 17—Letter of resignation of Acting Chief Guard Richard H. Stedman.

" 21—Report of the Inspector of Prisons Asylums &c., on the suppression of a mutiny in the Central Prison

Dec. 30—Memo by the Provincial Secretary on his investigation of charges made by the Warden of the Central Prison against Chief Guard Beaumont.

1875

Sept 13—Letter from the Warden to the Inspector of Asylums, Prisons, &c. enclosing a letter dated 6th September, from Guard Wall, complaining of the conduct of Chief Guard Beaumont.

Sept. 20—Minutes of investigation of certain charges by Patrick Wall against Chief Guard Beaumont.

" 22.—Letter from Chief Guard Beaumont to the Inspector of Asylums, Prisons &c

Feby 20.—Letter from the Warden to the Inspector of Asylums, Prisons, &c.

March 1.—Letter from the Inspector to the Provincial Secretary

" 3—Letter from the Inspector to the Warden of the Central Prison

" 3—Letter from Chief Guard Beaumont to the Provincial Secretary

" 17.—Letter from the Inspector to Chief Guard Beaumont.

" 22—Letter from Chief Guard Beaumont to the Provincial Secretary, enclosing copy of a letter from him to the Inspector

" 25—Letter from the Inspector to ex Chief Guard Beaumont

" 28—Letter from the Inspector to the Warden of the Central Prison

" 29—Letter from the Provincial Secretary to ex-Chief Guard Beaumont.

" 30—Letter from the Warden to the Inspector of Prisons. &c.

April 13—Rules and Regulations Central Prison.

" 29—Letter from the Inspector to the Provincial Secretary, enclosing letter dated 21st April, from the Warden to him

May 3.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary

" 10—Letter from Assistant-Secretary Eckart to ex Chief Guard Beaumont.

" 13.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary.

" 16.—Letter from Assistant-Secretary Eckart to ex Chief Guard Beaumont.

June 7.—Letter from ex Chief Guard Beaumont to the Provincial Secretary

1876

July 3.—Letter from ex Chief Guard Beaumont to the Provincial Secretary.
Oct. 5.—Letter from ex Chief Guard Beaumont to the Provincial Secretary.
Index to the investigation into the charges against James Beaumont, late Chief Guard.
Minutes of evidence taken during said investigation.

1876

Letters referred to in foregoing evidence.

Nov 8.—Letter from A. McMenery, Hamilton, to the Warden of the Central Prison.
" 7.—Declaration of John Henery late Chief of Police, Hamilton
" 8.—Declaration of J. B. Rousseau of Hamilton.
April 19.—Letter from the Inspector to the Warden of the Central Prison.

TREASURY DEPARTMENT, TORONTO, 30th March 1875

SIR,—I beg to enclose Memo. containing my observations upon your report of the 17th February last relating to the inquiry held by you under my instructions of 4th idem, relating to certain alleged antagonisms between certain officials in the Central Prison. A copy of my Memo will be communicated by you to the Warden and by him read to the guards and other officials of the prison

I am,
Your obedient servant
ADAM CROOKS
Treasurer.

J. W. Langmuir, Esquire,
Inspector of Asylums, &c., Toronto.

MEMORANDUM on the report of Mr Inspector Langmuir, dated 17th February last, relating to the Central Prison

The undersigned has considered the report and the evidence taken under the inquiry directed by the instructions of the undersigned dated the 4th February last, and

Firstly—He approves of the discipline of the prison being strictly maintained and that the steward and cook must comply with such regulations as may be in force with respect to them, as well as the other officers and guards in the prison.

Secondly—That it is desirable that the suggestion of the Inspector for separate duties of store-keeper and steward be adopted in future and that in by laws such distinction be adopted

Thirdly—Deputy Chief Guard Stedman is liable to censure for the expressions which were undoubtedly used by him in regard to Roman Catholic officials, and any indication in the future of such feelings being harboured by him will involve his dismissal.

Fourthly—It is to be regretted that the evidence shews that liquors have been introduced on several occasions into the prison and that the officers whose duty it was to have reported the circumstances to the Warden omitted to do so It is equally to be regretted that Chief Guard Beaumont and other guards have been in the habit of frequenting public houses or taverns in the neighbourhood of the prison The regulation with respect to the use of intoxicating liquors must be strictly enforced and the Warden Officers and Guards will be each held responsible for the observance of it inasmuch as the discipline of the prison depends entirely upon the strict observance of sobriety on the part of all the officials

Fifthly—The evidence shews beyond reasonable doubt that Guard Bollard violated on two occasions, at least this essential and the Inspector would have been justified in his immediate dismissal, after the inquiry I must direct that this should be done forthwith and with the usual fines.

Lastly—Any wilful disobedience of the rules or neglect of duty will be visited in the like manner when any such case is made to appear

ADAM CROOKS
Treasurer.

TREASURY DEPARTMENT
Toronto 30th March, 1875

OFFICE OF THE INSPECTOR OF ASYLUMS PRISONS, &C., ONTARIO,
Toronto, February 17th, 1875.

SIR,—I have the honour to report for the information of His Honour the Lieutenant-Governor, that in obedience with instructions contained in your letter of the 4th instant I held an investigation into the causes of antagonism that exists between certain officials of the Central Prison of Ontario, and the effect of such antagonism upon the discipline and management of the prison; and I herewith transmit the evidences taken under oath in connection therewith.

It appears that the want of harmony is confined to five officials of the prison, viz. Daniel McCarthy Steward and store-keeper and Michael English, Cook and Baker, on the one hand, and the Warden Chief Guard James Beaumont, and the Deputy Chief, Richard Stedman on the other.

The causes of disagreement, as stated by the steward and cook are —

1st. The too rigid enforcement of prison rules and discipline by the officers named, amounting to persecution against the steward and cook, and a disposition to force them out of the prison service—also to the constant reporting by Beaumont and Stedman of alleged offences, and breach of discipline which the steward and cook think are not worthy of notice, or all too frivolous to require reporting.

2nd. That the Steward should be required to conform to prison discipline, as a guard, and that he is deprived of privileges that he should have.

3rd. The bad feeling and enmity against the Catholic officers and guards, evinced by the conduct and statements of Deputy Chief Stedman.

On the other hand it is alleged in the evidence of the Warden and the Chief and Deputy Chief Guards, that the steward and cook constantly ignore important prison rules, and disobey the Warden's orders, thereby injuring the discipline of the prison, both in relation to the officials the prisoners and the prison management. They further allege that although the cook and steward have time and again been reported for such offences against discipline and the rules of the prison they persistently continue in such courses.

Such being the causes of the antagonism existing between the officials named, I propose to deal with them in the order in which they are placed.

1st. The evidence proves that the discipline of the prison, in relation to the duties and conduct of officials is generally *strict*, but for a new prison undergoing organization, I do not think that it has been or is unnecessarily or even unduly *rigid*; the opposite course I am convinced, while it might have obviated some unpleasantness, would have been most disastrous to the best interests of the prison. This rigid but wholesome discipline, as far as I can discover has been applied to all the prison officials alike with this result viz:—that the guards, some of whom chafed at first under it, have accepted the position, and now, without exception perform the duties required of them, not only willingly and cheerfully, but with an intelligent appreciation of the necessity of strict disciplne. The steward and cook on the other hand, it would appear have kept up a continual protest, sometimes active and sometimes passive, against certain rules and orders, and not unfrequently they have ignored the one and disobeyed the other. Some of the offences and breaches with which they have been charged are trifling, and others flagrant, but their course generally has been one of antagonism to discipline. For instance an order is made, prohibiting smoking before or with prisoners, while on duty; the order is disobeyed, openly and defiantly, it is ordered that prisoners while at work must not be left alone, but this rule is persistently disobeyed by the cook, and frequently by the steward, that all officers and guards must attend evening count, and remain until all the prisoners are accounted for is completely ignored, both by the steward and cook, the order that they must be present along with other officers and guards when the orders for the day are read, they persistently refuse to obey, that they must not use familiarity with prisoners is so much abused, that when prisoners are removed from the kitchen to other gangs, they are found unmanageable, that all officials are to be in the prison at certain hours is frequently violated.

These, and other breaches on the part of the steward and cook have been so frequently reported, that the officers charged with that duty now leave the offences unreported

I have examined the orders referred to and the circumstances that seemed to call for their promulgation, and cannot see in them or the means taken to carry them out, any evidence of a desire on the part of the Warden or his subordinates to domineer over the steward and cook, or to annoy them or even to put them to unnecessary inconvenience. The fact appears to be that both the steward and the cook are imbued with the idea that strict discipline means tyranny, and that the officers charged with the duty of enforcing it are their enemies.

The guards of the prison being composed of soldiers, accept the position, the steward and cook being civilians protest against it.

2nd With regard to the complaint of the steward that he has been deprived of privileges, and also that he is required to conform to certain rules which he believes should only apply to prison guards, the evidence shows that Mr McCarthy only comes under the rules referred to in his capacity of steward, having prisoners in his charge. In the performance of his duties as storekeeper, he has been to all intents his own master It is very clear that if prisoners are placed under the charge of the steward or cook or any officer of the prison, they must be held responsible for them as prison guards they must account for such prisoners every evening, and see that they observe the rules and regulations of the prison. In these respects but in no other, have the steward and cook been looked upon *as prison guards*.

It is quite possible that if By laws had been framed at the opening of the prison regulating and defining the duties of every officer and employee many of these troubles might have been obviated, but until observation and experience revealed the requirements of the prison in these respects, it was not considered desirable to frame By laws that might have to be amended when after such observation they were found defective and unworkable. Sufficient experience, however, has now been obtained of the working of the prison to enable such By laws to be enacted as will clearly define the duties of all officials and leave no doubt as to the privileges they are possessed of or the nature of the duties required of them

3rd The evidence in support of the statement that Deputy Chief Guard Stedman harbours bad feeling and enmity against the Roman Catholic officers and guards is confined to two witnesses viz Chief Guard Beaumont and Guard Gifford The statement made by Stedman to Beaumont, and which the former admits to be correct is I think so explained by Stedman upon oath, as to show that at least no animus or ill feeling existed in his mind on that occasion against the Roman Catholic employees of the Prison.

Guard Gifford's statement that Stedman had invited him to join with him and one or two others in order to get the Catholic employees out of the Prison, is pronounced false by Stedman but as it is in evidence that Gifford told others of the conversation a short time after it took place, I am inclined to think that such an approach was made by Stedman to Gifford. For the particulars I refer you to the evidence of both the parties no evidence was given to prove that this feeling extended beyond the limits referred to, and it would appear that the Warden warned the chief officers to be very guarded in this respect.

These, therefore, are the sources of the antagonism that exists between the officers named and the results of such antagonism upon the management and discipline of the prison. In addition to the want of harmony between certain officers of the prison, it also came out in evidence and in my opinion was clearly proven, that liquor had been introduced into the guard room and guards dormitory and there drank by certain employees of the prison— This seems to have been brought to the notice of the Warden only on one occasion although it is evident that it was of frequent occurrence but on the occasion referred to a very stringent order was read to the employees of the prison, warning them that such an offence would meet with instant dismissal The following rule was also promulgated, viz —

"Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating liquors in or about the prison Intemperate will insure instant dismissal."

Notwithstanding the order and rule referred to, it was proven clearly that liquor

has since been brought into the prison, although this offence did not come to the knowledge of the Warden or his two Chief Guards.

It also came out in evidence that Chief Guard Beaumont, on more than one occasion, was present with some of the guards and employees when drinking was going on in the evening at a tavern close to the Prison

In order to remedy the results of the antagonism referred to, and the other defects in the prison discipline, I would most respectfully recommend :—

1st. That by laws be prepared and enacted for the good government of the prison, defining the duties of every officer and employee, and the relations they must sustain to each other

2nd. That the cook and baker shall be looked upon as a prison guard and shall be subject to all the rules enacted for the guidance and instruction of guards.

3rd That only the Warden, the Chief Guard, the Deputy Chief, and the ordinary guards shall board and lodge in the prison

4th That the duties of steward and storekeeper shall not be performed by one and the same person Mr McCarthy shall cease to be the duty of storekeeper and in addition shall assist the bursar in keeping the books &c. the duties now performed by the steward, shall devolve upon the Chief or Deputy Chief Guard, as the Warden shall direct.

5th That a separate office from the Warden be assigned to the bursar and the storekeeper.

In the way above indicated, I think that the chief sources of antagonism will be remedied, the discipline of the prison rendered more effective, and its means of good government generally improved

I have the honour to be,
Sir,
Your obedient servant,
J W LANGMUIR,
Inspector

Evidence taken at an inquiry held by the undersigned Inspector of Prisons, &c, for Ontario in to the conflict of certain officials and guards of the Central Prison of Ontario on the 10th Feb, 1875

DANIEL MCCARTHY, Steward and Storekeeper of the Central Prison, being sworn deposed as follows —I have been informed that whiskey was brought into the guard room by Guard Bollard my informant was English the cook of the prison Of my own knowledge, I was not aware that whiskey or intoxicating liquors was introduced or brought into the prison by any officer or guard and I have never seen it there I was informed by James O Brien on Monday the 1st February in the morning that he (O Brien) had been in the habit of drinking liquor on the prison premises, with Chief Guard Beaumont he said he drank liquor with Beaumont both in the guard room and the tower The bailiff Mr English, also told me that he has seen liquor on the prison premises and being drunk by officials of the prison I have drank liquor with Beaumont, at Higgins tavern, about seven o'clock in the evening, about two months ago On that occasion Mr Stedman was away from duty, and I believe Beaumont was on duty I have known Guards Bollard and Doherty to drink in Higgins' tavern with Beaumont that was on the same occasion as I drank with him The bailiff was also present on that occasion I do not know but what all the guards had passes to go out as far as I know all guards on such occasions came at 9 30 p m

English the bailiff told me that on the night the Warden came home from his leave of absence, on the 6th November when he was delivering prisoners from the west, that he (English) said to a guard who was present that the Captain must be home, for there was his dog on the door step but on looking English said he found that it was Guard Bollard lying drunk on the steps. English stated that Bollard was then admitted in better than about eleven by the night corridor guard I have known oyster suppers to take place in the guard room. On one occasion Mr Stedman, and Guards Bollard Gifford, Doherty, and I

think Graney, were at the oyster supper; it was about a month ago, I was not present, I went to bed. I know of nothing more in respect to the introduction of liquor into the prison premises

On the first Sunday that Roman Catholic service was performed in the chapel, Father Rooney was officiating. It was customary for the Catholics to kneel down at prayers. Father Rooney observing that the prisoners were standing up, said "how is this?" Deputy Stedman said that is the order, sir. The clergyman demanded to see the Warden immediately. He was told by Mr Stedman that the prisoners might kneel down on that occasion. On the Sunday following, that is the one succeeding it, Deputy Stedman kept his hat on while close to the altar rail; he kept his hat on until after the Gospels were ready, he then took it off. I think he observed that we were speaking about it on the appointment of Somers to a guardship during the Warden's absence. I attended service in the chapel on Sunday during church I observed Guard Somers kneeling down, and when church was over, Mr Beaumont told me that Mr Stedman came running to him to say that Somers was a Roman Catholic and that if the Captain had been here he would not have sworn him in. The bathing Mr English, told me that Deputy Stedman called Guard Gifford out of the guard room one Sunday shortly after the prison was opened, to ask him to help him to clear the Parents out of the prison, Guard Gifford said he could not do so as he was married to a Catholic woman. I have not heard any such expressions or feelings against Catholics entertained by anyone in the service of the prison but Mr Stedman. Mr Beaumont has told me that such feelings existed in Stedman's mind. I do not think Beaumont has such feelings, I am sure that the Warden has no such feelings, but I thought it strange that Stedman should be allowed to use such language. I think the Warden must have known something about it, because he heard the Warden use the expression that Beaumont and Stedman were to hand the Baker English and myself down like dogs. Respecting the key trouble I had a key which opened the guard-room door, the kitchen door, and I think all intermediate frame doors. Being in a hurry one evening I opened the guard room door with this key the next day I found that the Warden had a new lock put on the door. I asked him why the lock was put on, as there seemed to be no use for it as far as preventing prisoners from escaping, the Warden said that there was no fear of those prisoners escaping; but I think that the key and lock was changed only to bother me.

I was aware that there was a regulation that no officer or guard was to be admitted through the door except they rapped. but I did it for dispatch

The two prisoners who are in charge of myself and the cook require to be constantly under our notice although their offences are slight, whereas the prisoners in the guard room are in for longer periods and do not require to be watched; shewing that we (that is English and myself) were to be crippled.

The Warden also objected to my taking flour from the north store-room and or through the front grounds into the large north entrance gate, and it was ordered to be taken through the corridor to the bake-house, and after that the order was enlarged to take it through the kitchen involving going down one pair of stairs and up another; it was found that that could not be done. It is now taken through the receiving lobby and receiving room, then through the dining hall into the prison yard, I believe this is all to give the baker and me trouble

During last summer I think in August, I allowed two friends of mine who had passes, signed by some person I don't know who, to enter the prison by the store room door. I did this in ignorance of any regulation against such an act and I thought as steward that such confidence would be had in me to know that I would not admit any improper person

But in taking my friends into one of the shops Lyons, the gate keeper at the instigation of Stedman I think came up and ordered my friends out. I at once took them out

For this I was brought before the Warden and severely reprimanded and was told that I must not admit any body by that door, an order was also placed in the order book to some such effect

On another occasion I was reported for admitting strangers through the store-room door, in the face of that order the first was, two nuns came to me with a desire to look at the prison kitchen range and I admitted them thinking that an exception would be made in such an instance but I was immediately reported and Beaumont said, "You are reported again" as if all they wanted to do was to report frequently against me

I complain that I have no privileges whatever and that I am hardly dealt with, and although the order had reference, I suppose to all officers, still Mr. Short was allowed by the Warden to take friends into the prison, the Warden I am informed, remarking that the order only referred to the Steward and Cook.

D. McCARTHY.
Steward T. S. K.

JOHN ENGLISH, Bailiff of the Central Prison being sworn, deposed as follows. I remember the night on which the Warden returned from his leave of absence in November. I came down as far as Hamilton with him from Windsor and stopped off at Hamilton to get more prisoners. I arrived at the prison at 11 30, p.m. Guard Doherty met me at the train and came up to the prison with me. When we came to the steps of the south entrance I saw what I thought to be the Warden's dog, but what turned out to be Guard Bollard lying on the steps apparently quite helpless from drink. We lifted him up and rang the bell when the corridor guard answered the bell. He admitted Bollard; he must have seen that he was drunk as he staggered very much. I kept behind him (Bollard) on going up stairs to prevent him from falling. I did not see Deputy Chief Stedman that night at all, and I don't think that Stedman saw Bollard in the condition in which he was. I never heard that the night corridor guard reported the case of Bollard's drunkenness. He should not have been admitted so much after 11, p.m. I came home to the Prison one night about a month ago and on coming to the door of my room I found the door locked. On getting in I saw guards O'Brien, Bollard and Somers in the room. They were drinking out of a bottle what I took to be whiskey. I could smell it I think there were other guards present but I cannot tell. Stedman at the time was in his room. He knew that the persons named were in my room but I am pretty certain that he did not know that they had liquor. I never was present when liquor was drunk at any time that Chief Beaumont or Deputy Chief Stedman had any knowledge that such was the case. I have known Mr. Beaumont to drink with guards outside the prison in Higgin's tavern between the hours of 8 30 p.m. up till 9 30 p.m. I have seen him drink with Bollard O'Brien, Doherty, Lyons and Umsacke. One night that the Deputy Chief was absent and Mr. Beaumont on duty, I was asked by the Warden to get Mr. Beaumont. I told the guard to go to Higgins's tavern and he would find him. As both the guard and Beaumont came in together, I suppose he found him at Higgins' tavern. I have known guards to be drunk on the premises quite frequently. I have heard boisterous talking and other evidences of drunkenness. Mr. Stedman must have heard also as he is quite as near as I was, liquor I think, has no effect upon Mr. Beaumont; I remarked to him on the night on which I sent the guard for him at the request of the Warden, that he would soon be caught, he (Beaumont) said that liquor had no more effect upon him than a blister on a wooden leg: I never saw any sign of liquor on Mr. Stedman; on one occasion I saw Bollard take a bottle to Lyons' bed and give him what I thought was liquor as Lyons became ossy as well as others; this only happened about a fortnight ago. Mr. Beaumont told me that Stedman had spoken of the appointment of Somers who is a Roman Catholic as something that should have been prevented; as far as I know no feelings against Catholics have been shown by any one but Stedman and that is only hearsay.

JOHN ENGLISH.
Bailiff, Central Prison.

SAMUEL GRACEY, guard, being sworn, deposed as follows.—I have seen liquor in the guard room of the prison, I cannot say who brought it in. The last time I saw liquor there was two weeks ago. Neither Chief Guard Beaumont or Deputy Stedman were present when liquor was being drank. I never knew that liquor was taken to the tower by guards on duty. Guard O'Brien was the only guard that I ever saw positively drunk. I have seen others who had liquor in them. I don't drink liquor, don't know the taste of it.

SAMUEL GRACEY,
Guard.

WILLIAM DOHERTY, Guard, being sworn deposed as follows.—I came to the Prison on the night of 6th November with the Bailiff. I had been detailed to go down to the station

We arrived at the prison about 11 p. m. I saw Bollard standing on the south entrance steps; he seemed to be in usual. He did not appear to be drunk. He was standing. He walked up to the guard room all alone. I went with the Bailiff and the prisoners and locked them up. I think it was O Brien who was acting that night as corridor guard. When we locked up the prisoners the Bailiff and I went up to the guard-room and I went to bed. When I went into the guard room Bollard was in bed. I did not see Mr Stedman from the time we came in with the prisoners until I went to bed. I heard no remarks made by the bailiff or by the corridor guard who let us in as to Bollard's condition.

I swear that I never drank liquor in the guard room. On one occasion I took liquor in the Car Company's office. Mr Bates gave it to me. I was unwell. That must have been two or three months ago. I have been in Higgins' tavern with Mr Beaumont. I drank with him on two occasions, once in Higgins' and another time at the Marlborough House. We were both off duty. I was at an oyster supper at Higgins' about a month ago. Beaumont was present.

WM DOHERTY,
—Prison Guard.

MICHAEL ENGLISH Cook and Baker being sworn, deposed as follows.—I informed the Steward Mr McCarthy, that I had seen whiskey or liquor being drank by officials of the prison on the prison premises on or about Christmas. I saw Guard Bollard Somers, and Guard O Brien drinking in the steward's room at 8 40 p.m. The steward and bailiff were not there at the commencement, but the bailiff came in about 9 p.m. I went into the room in order to sleep in the steward's bed that night. I was in the room when the three guards named came into the room. Bollard went out for the whiskey about 8 p.m., and came into the room with one bottle first; after that, another bottle was brought in by Bollard from the tavern. Doherty came into the room while the drinking was going on and also drank some. I drank some also. The bailiff drank none. The door was locked. I saw Mr Stedman before the door was locked, he did not come into the room. There was some noisy talking. I have on two occasions seen liquor being drank in the guard's bed room, it may have been two months ago. I don't know who brought in the whiskey on these occasions; it was brought from the cupboard where the guard keep their clothes. Lyons, Doherty and O'Brien drank on three occasions. I did once. I don't know who brought the liquor into the room. It was drank when we were going to bed. I have drank on three occasions with Chief Guard Beaumont in Higgins' tavern and Chambers' Tavern. On the two occasions on which I drank with him in Higgins' tavern he (Beaumont) was on duty, as Mr Stedman was away from the prison. After having drank with him, Beaumont returned to the prison, it would be about half past eight. I never drank with any other officer of the prison. I think it was in the fall that I last drank with Mr Beaumont at the tavern. I never saw McCarthy drink liquor on the prison premises or off. I have six prisoners under me in the kitchen and two in the bake house. The Warden told me that these prisoners were under my control. I was first reported for smoking, and on being brought before the Warden was reprimanded. That was about six weeks or two months after the prison was opened. I was in the front lower store. Stedman saw me. Since that time I was reported for smoking on a Sunday morning in the prison yard on my way from the water-closet and one morning last week I was reported for smoking in the Steward's room; these are the only times that I have been reported for smoking, but I have often smoked on other times. The last time the Steward and Bailiff were smoking also, but I believe they were not reported. I have also been reported for being asleep on duty. I was sitting in the kitchen with my newspaper in my hand, I saw Mr Stedman before he was half way across the kitchen, I have also had prisoners taken away from me when I wanted them very much, they were kept an hour at dinner when a quarter of an hour would have done; that was when the Warden was away on leave of absence. I was obstructed in taking the flour out from the store in the quickest way on one occasion; one of the prisoners was caught smoking in the bake-house, and he was put 36 hours in the dark cell although I wanted him very much, I was not aware at first that I was not entitled to smoke. I have asked the Warden to get off on Sunday from 4 p.m. to 11 p.m.; I have been granted that permission but sometimes it has been refused. On one night about three months ago, it was then the 4th of November I came to the prison at 11 p.m., I found the

door locked, I tapped at the north corridor window; I saw Guard O'Brien, and thought he would have gone to the Deputy to ask to allow me to be admitted; he did not come to the window again for about an hour, but I did not hear what he said. I then came around to the south entrance, and tapped at the window of the receiving room, no one came, I then walked up and down until 3 a.m. then I rang the bell of the large gate when the Watchman Hardy let me in. I should have been in the prison at 9 30 p.m., on that occasion, but I was detained with some business, about two weeks ago. I came about 3 27 p.m., and could not get in and went and slept at a house on Queen Street, I have not heard of any guard being let in after 9 30 p.m., unless he had a pass, unless I heard that Bollard on one occasion did get in. On the Sunday of the 28th of October I obtained leave of absence to leave for the whole day that is I left on Saturday night and returned on Monday morning. the Steward looked after the cooking. I did not think that it was necessary to obtain leave from the Warden. I have since learned that it was necessary to obtain the Warden's leave of absence. I consider the rule one-sided. Rule No. 4 is not carried out, I cannot give an instance. I have no means of knowing, I have seen work done in the shoe shop by prisoners for Mr. Stedman and Mr. Beaumont and if I got anything I would at once be reported, I have not known that anything has been done for any officer or guard since the order issued on November 16th that only Government work was to be done. I think both Mr. Beaumont and Mr. Stedman denounced over me, I know my business, they never found fault with my cooking or baking, but they interfered with my work. I have never heard the Warden or Mr. Stedman or Mr. Beaumont speak against Catholics employed but it was the constant picking that made me believe they wanted to get rid of me.

MICHAEL ENGLISH
Cook and Baker

RICHARD BOLLARD, Guard being sworn deposed as follows.—I have never brought whiskey into the guard room of the prison. I was present one night in the Steward's bedroom when the Steward was absent, along with English, the cook, and Guards Somers and O'Brien. the Bailiff did not come in until the drinking was over. I think Doherty drank liquor one night with O'Brien, I remember the night on which the Warden returned from his leave of absence, I did not get to the door but night at 9 30 p.m. but I knew the Bailiff would be up with the prisoners at about 11 p.m., I waited till he came, when I was let in, I went upstairs myself when the Bailiff and Doherty came up to the door I heard the Bailiff say. "the Warden must be home because there was his dog." I suppose meaning me. I was sitting down until I heard them coming when I went out from the steps and stood up, I have drank with Mr. Beaumont in Higgins' tavern in the evening, after the prison had closed, the last time was about a week ago.

RICHARD BOLLARD,
Guard

WILLIAM GIFFORD, Guard, being sworn, deposed as follows.—I am a married guard, on one day of the week I sleep in the guard-room two nights in the week, and the week succeeding, three nights in the week. I have never drank liquor on the prison premises, nor have I seen any drank about three or five months ago I was in the Bailiff's bedroom when Mr. Stedman came and knocked at the door, and told me he wished to see me down in the Warden's Office. I came down with him. he said he had asked me down as he wanted me and one or two more to join in with him in trying to get the Catholics out of this. I at once said he has got the wrong man this time. my wife is a Catholic. I stood and looked at him for a few minutes, and turned and walked away to the guard-room, he followed me, but he has never spoken to me since on the subject. I told this about a month afterwards to Guard Doherty also to the Bailiff and in the guard-room when several were present. I have never heard any such expressions used by any other officer of the prison, I have not seen anything that would lead me to believe that Catholics were to be got rid of, but the statement made to myself by Stedman. I know of no cases of favouritism being shown to any guard or employee of the prison.

WILLIAM GIFFORD,
Guard.

JAMES BEAUMONT, Chief Guard, being sworn, deposed as follows —I come into the prison in the morning at 6 30 a.m., unless the Canada Car Works have been shut down; while they were in operation at 5 30 My house is on Wellington Avenue. I parade guards at 5 45 a.m. when the Canada Car Works were in operation, but now at 6 46 a.m., and dispatch the guards to their respective duties. I supervise the issue of breakfast to all the prisoners throughout the prison see that it is properly and promptly served. I then post the corridor patrols and then the guards go to breakfast, and I go with them. The prisoners are then marched out with the night buckets, and then marched back and placed in mass when the gangs are distributed for the work of the day whether for shop or domestic duty When the guards report the gangs complete and correct, I then give each gang the order to march off I then visit the various gangs, and see that they are all properly at work. I then come to the office, and go on with my writing, see that the men for discharge are got ready when they are marched in to be seen by the Warden. I then receive the instructions of the day from the Warden, and go and see that they are carried out. The time up to dinner, is taken up with supervising the affairs of the prison generally. At dinner time, the gangs are mustered, and numbers reported to me which I check, which I report to the Warden after that prisoners dinner, which takes up from about 12.5 to 12 45 p.m., half of that time one-half the guards are on duty while the other half are at dinner The gangs are then marched off at 12 45 to their respective shops, or works, each guard numbering his gang and reporting to me if correct, or otherwise, before moving off. In the afternoon I visit the shops Am present at visits to prisoners. Show visitors round Do office work and general work up to supper time, when the prisoners are marched in I superintend the issue of supper See that all the prisoners are all marched up to their respective galleries See that the the guards are all in their proper places, give the signal for cell doors to close; parade guards and take the count, report to Warden and dismiss the guards post the night patrol, and then go to my supper; if Mr. Stedman has leave of absence to stay out at night, I stay on the premises, if I see any dereliction of duty on the part of any guard or employee of the prison, or any infraction of the rules, I use my discretion as to whether it is sufficiently serious to bring under the Wardens notice or whether it should at once be settled, but if I settle the matter I caution the parties that a repetition of the offence will be reported to the Warden, the number of cases that I settle are about as many as the number of cases that I report the Deputy Chief Mr Stedman, reports to me, and if his reports are of such a nature as I can settle the report is not carried to the Warden, unless the Deputy desires it I have frequently had occasion to report the conduct of the Steward to the Warden I think that the first report I made against him was that he would not attend evening parade to hear the Wardens orders read the orders are read every night, at first the Steward attended at evening parade, but about six weeks after the opening he neglected to attend An order was then placed upon the order book requiring the attendance of all guards and every prison officer on the 29th June The Steward did not hear this, when an order issued on the 7th July only requiring the attendance of the Steward at the reading of orders when an order was to be read affecting that official's duties, after that order was made on the 7th July another order was made in respect to the duty of the Steward I notified him of it but he did not attend I again reported that to the Warden The Steward has not attended at the reading of orders since before the 29th June, although frequently orders have been made in respect to his duties Since that I have taken the book to him and read the order affecting him, although no order was made requiring the Steward liable for the care of the prisoners in the kitchen and bake-house gang I have noticed very frequently that the Steward ignores all rules in the manner of dealing with and speaking to prisoners he generally calls them by their Christian names—"my boys —or Mr them, and instead of giving a direct order he asks if they will be good enough to do so and so The Cook (English) follows the same course, which does away with all discipline and is most observable in the conduct of prisoners removed from the kitchen and bake-house to other gangs Both Steward and Cook smoke before prisoners. I have reported both of them for this, and the Deputy was reported to me for the same offence

The Steward has stated to me that he would not obey the Warden's orders. Only last week I told him that he must give up at night, the key of the outside door of the

storehouse, he dashed it down on the floor and used the language stated in my evidence before the Warden, and which I now swear is true and correct.

(Statement referred to.)

JAMES BEAUMONT, Chief Guard Central Prison, states as follows:—I am the Chief Guard Central Prison, my duty is to take over all of the outer doors Central Building at evening count," in accordance to orders. On the evening of the 1st of February instant, finding a key deficient which should have been handed over to me by the steward, I proceeded to the store, and asked the steward for it. The steward became very violent,—jumped up from his seat, and dashed the key upon the floor saying "There is the G—d d—d key; it has been an eye-sore to Prince yourself and Mr Stedman ever since I have been here, and if I am to be reported I'll make statements true or false and swear to them and get others to swear to them which will make it hot for you and other d——d Englishmen in the Institution for neither Prince, you nor Stedman shall make me subject to your d——d army discipline." The steward cursed every one in the prison and snapping his fingers in my face addressed me, saying "Do you call yourself a man, a thing or an ape?" Finding it was impossible to reason with him, I left the store. This took place in presence a prisoner and the cook. the latter stood by laughing.

JAMES BEAUMONT,
Chief Guard

A short time before the last occurrence happened, the guards complained of the bad quality of the coffee. I sent to the kitchen for more tea, when I received a message that we must make up our minds to have either all tea or all coffee. I then went to the cook and asked him if he had sent that message, he acknowledged in an very sulky manner that he did. When the Steward came into the prison that morning about 10 a. m., I asked him where he had been. he said he had been in the city in connection with the stores. I called the cook up before the Steward and related the circumstance about the tea, and impressed upon them that I would not allow such a message to be sent to me; that it was the Warden's orders that both tea and coffee were to be served and that it must be properly cooked. The Steward said the cook was wrong and promised that a repetition of it should not again take place. Except this I was not aware of any cause for their invocation and anger shown by the Steward on the occasion of my asking this key. He had sent in one key at the proper time. and as I had occasion to go into the store-room to order some tallow, I merely reminded him of the other when he broke out as stated. I had not spoken of the Guard Mansell letting the Steward in at the time I went to get the tallow, and to remind him about the other key. But when he spoke of Mansell having reported him to me, I merely reminded him that I was acting as a medium between the prison officers and the Warden.

I had previously reported to the Inspector that the Steward had let persons into the prison through the store room door, contrary to the regulations. Before reporting him that he was violating the rules, and that I would have to report him, he said "report it, and do your best. I don't care."

From all I can see the steward and the cook are getting more defiant of the Prison rules. I have over and over again reasoned with them, thinking they would come under the discipline the same as the other guards. They both said that they would not be classed as guards.

During the Warden's leave of absence, on the first Sunday that Somers was on duty, Mr Stedman came up to me and said "Why Somers is a Catholic." I said "what matter, if he does his duty," I said that very sharply. Mr Stedman turned round and walked away. The Warden before that had frequently warned us not to introduce or discuss religious matters, as he had much trouble with that in the Police Force. That is the only occasion that the matter of religion was alluded to between us, and that is the only time I heard a religious matter referred to in the prison by an officer or guard. I never, on any occasion whatever saw liquor drank on any portion of the prison premises. I was of opinion that O'Brien brought liquor in secreted upon his person. Meehan was also suspected of doing the same thing. I have called in on my road home at Higgins

tavern on several occasions, perhaps three or four times. On these occasions, I have seen some of the guards and have drank with some of them in Higgins' private room never at the bar at the tavern. I never visited Higgins tavern while I was on duty. I believe I remember the night that the Warden rang the bell for something and that I was sent for. I believe that either Eames or Elliott the guards, came and found me waiting in the door of the waiting room. I was not at Higgins tavern that night. I have seen the bailiff at Higgins tavern, we have had oysters together there. I think one or two guards were present. Twice, I think I have been to Higgins with my uniform on. No prison officer ever cautioned me upon the subject. I did not think I was doing wrong in associating with the guards, who held non commission rank, the same as myself. I have never known that Bollard was drunk. I thought he was a very sober man. The guards perform their duties cheerfully and faithfully. I never have any trouble with them. The steward and the cook are the only persons I have had any trouble with and the principal trouble with them has been the non-conforming with the rules of the Prison.

Frequently I go down to the kitchen and find the prisoners alone. About four mornings ago I went down five distinct times, and found the cook away. I then went into the store and found him smoking and reading. I spoke to him asking him if he considered it right to sit in the store-room when he had so many prisoners in the kitchen, he said "yes, if it suits me." When I expressed my surprise, he repeated his answer.

JAMES BEAUMONT,
Chief Guard.

RICHARD STEDMAN Deputy Chief Guard being sworn, deposed as follows:—I have never seen liquor drank upon the prison premises. I have seen guards drank and have reported them. I have for this offence reported guards Meehan and O'Brien. These are the only guards or employees of the Prison that I have seen intoxicated on duty. O'Brien was discovered on Sunday the 31st January, quite drunk. I sent him home and reported him; on the same morning, I saw a bottle, of what I supposed to be liquor, in the steward's room. I came down to inform the Warden; and when I went back I found that the bottle had been taken away. I knew that O'Brien, Bollard and Somers, were locked in the steward's room one night, as they were noisy and thought that they were drinking, but as the door was locked I could not go in. Guard Gracey was only in for a short time when he came out, I tried to find out what was going on but Gracey would not say. This took place a few nights before O'Brien was dismissed. I reported to the Chief Guard that I suspected that drinking was going on. I have reported the following guards for various offences and breaches of the regulations, Guards Doherty, Gracey, Meehan, O'Brien, Coute and Axworthy. Coute and Axworthy were dismissed upon my evidence. I have also reported the steward and cook on three or four occasions the offences for which they were reported were repeated. The cook was reported on one occasion for being asleep on another for smoking and reading a paper while in charge of prisoners. I have very frequently reported the cook for smoking while on duty, so much that I thought there was no use of reporting him any more: the cook is altogether too friendly with the prisoners he associates with them, whenever I go through the kitchen he is talking, sometimes joking with them frequently sitting down with them. I have reported the steward for smoking on the prison premises twice in the kitchen when prisoners were present. twice I reported him for coming in late, I have stopped reporting offences or breaches of rules on the part of the steward and cook. The guards are most obedient—do their work cheerfully, I never had any conversation with Guard Gifford about the religious of the guards or officers of the prison—I never asked Gifford or any other guard, or any officer of the prison to join me in trying to get Catholics out of the prison service. I am not crazy enough to do such a thing. I have had private conversations with Gifford, but never on the prison premises about religion but I decline to say what it was, it was a private conversation, but it was not against Roman Catholics, I never said anything to Gifford that would lead him to believe that I wished to get rid of Catholics. I have not reported Gifford or have had any misunderstanding with him. For the first four or five months I led the life of a dog in the prison, simply because I did what I conceived to be my duty, but now that they all know that I will do it I have no trouble. The guards

can't do too much for one. I remember the first morning that Guard Somers attended the Roman Catholic service; when it was over I said to Mr Beaumont that Somers is a Catholic, Mr Beaumont said I thought rather sharply "what of that if he does his duty" I thought he was rather sharp, and walked away. I was going to say to him the Roman Catholics cannot say anything now as I was the one that recommended him to the Warden as being a capital man. At first he served as a guard for the Car Company. I had heard from conversation in the guard room that there was some feeling against me by the bailiff and the cook, I learned from the conversation that it was supposed I was against them because they were Roman Catholics. The feeling at that time was general against me because they said I was too strict, that I carried out the Warden's cast-iron orders. That is now completely changed. I think the way the trouble in respect to Roman Catholics arose, as far as I was concerned was, because I first reported the cook for some offence. I did not know that he was a Roman Catholic then. then I had to report the steward, then I had to report Meehan; as they all happened to be Roman Catholics, I think the feeling first came out in that way, I was convinced that it was the case because the next day after I reported Meehan I heard the steward say in the guard-room "the Deputy is going for the Catholics" that made no difference to me. I had no ill feeling against Roman Catholics the best friends I have in Toronto are Roman Catholics, at the first Roman Catholic service that was held in the prison chapel, I was on duty, the Warden told me that prisoners were not to kneel. I was sent to Albany Penitentiary to observe the discipline of that prison, prior to the opening of the Central Prison prisoners were not allowed to kneel, neither at the Roman Catholic or Protestant service. I reported that fact to the Warden. The priest on the occasion of the first Roman Catholic service in the Central Prison, said that we can't go through our service unless we kneel down, I tried to explain the matter but as he would not hear of it I told the priest that the prisoners might kneel and that I would speak to the Warden having done so, the Warden said that kneeling might be continued. When I came into the prison chapel on that morning with the prisoners, I had on my official cap; I removed it as soon as I gave the knock for the prisoners to sit down; I did not allow the prisoners to walk about in the chapel before the priest came, of course, as soon as the priest came I took my seat, and never interfered after the first Sunday, I have heard the bailiff offer to pay all expenses if Guards Gracey and Doherty would go with her to a house full fame. I never saw Mr Beaumont drunk with guards in a tavern. The orders made by the Warden affecting the steward's department are not carried out, I have heard the steward say when he was in his flying temper that he would not obey such damned orders, I remember the occasion on which the cook came up to the prison late, and was not admitted at 11 p.m. I heard knocking and kicking on the outside of the building. I was going to get up when the guard on duty came to tell me that the cook was outside wanting to get in, I told him he must not admit him, the noise continued until it woke me again and the noise of kicking and knocking continued until he was let in in the morning. he would have been admitted at 5 p.m. if he presented himself, the rule in respect to locking up and re-admission is strictly carried out; Guard Powell reported the cook that morning.

RICHD STEDMAN,
Deputy Chief Guard.

MARTIN SOMERS guard being sworn, deposed as follows.—I was present in the steward's room one night, I think about the 27th January, Guards Bollard and O Brien were present, we drank whiskey in the room, Bollard brought the whiskey in; I don't know from where; Bollard brought a second bottle, I don't know where he obtained it. The bailiff came in about nine, and we left the room and went to bed about 10 p.m. I am a Roman Catholic, I have seen no bad feeling against Roman Catholics in the prison service.

M SOMERS,
Guard.

WILLIAM STRATTON PRINCE being sworn, deposed as follows.—At the time a change was made, Guard O'Brien. I think, in the month of September it came to my knowledge by the report of one of the guards, that liquor had been introduced into the guard's room by

Guard O'Brien. I reported the matter to the Inspector in conjunction with other charges, and dismissed O Brien I also produce a copy of an order published in the prison order book, and read to the guards and employees of the prison on the 15th of August, the day of the reinstatement of Guard O Brien.

Order referred to.

Prison Order, June 4th.—II. Intemperance will not be tolerated among employees; neither will they be allowed to keep or use intoxicating drinks in or about the prison. Intoxication will insure dismissal, and will never be overlooked

CENTRAL PRISON,
August 13th, 1874

Order No 1.—With reference to order No 2 of the 1st August, disposing of a charge proved against Guard James O'Brien.—The Warden having taken into consideration that the offence therein specified has been the first of the kind that has been reported to him in connection with the officers of the Central Prison since its organization, he cancels that part of the order dismissing Guard O'Brien from the service of the Central Prison, but with the distinct understanding that upon a repetition of the offence of intoxication dereliction of duty, or that of bringing the character of the institution into disrepute by *frequenting and drinking at taverns*, will result in his dismissal as it is determined that the strictest discipline shall be enforced in the Institution and that those officers who are wanting in habits of discipline and sobriety shall not be retained upon its staff.

I think that the promulgation of the order referred to, had the desired effect for the time being, as I heard of no cases of drunkenness on the prison premises, until I found Guard Meehan asleep when on duty, as corridor night guard, and evidently under the influence of liquor. I had previously noticed that Meehan had been a hard drinker, and refused to accept him on the prison staff owing to that failing, advanced years, and a nervous temperament. Meehan was dismissed. The charge against Meehan was published in the order book on the 21st November, and read to the prison officers and guards on that day, with the result thereof, viz. dismissal. The third case of drunkenness reported, was that of Guard O Brien in the guard room and corridors. I had strong suspicions that O Brien brought in liquor, and made himself drunk on the premises. O Brian was dismissed and the charge and result published in prison orders of the 2nd February. These are the only three cases of drunkenness reported on the premises. I have had several conversations with the Deputy Chief which led me to believe that on two occasions, guards were locked in the steward's room, drinking, but evidence that such was the case could not be produced. I was aware that Guard Bellard was physically unfit for the performance of guard's duty, and so expressed myself; but I never thought until this investigation that he was addicted to drinking, nor had he ever been so reported on the contrary that he was a sober man. It was reported to me on the 29th January that great noise was made by the guards after lights were out and that they had been in the habit of going into the steward's dormitory. I suspected that drinking was going on, and published an order, which was read to the guards, &c. on the 1st February, enjoining strict silence, and that the officers confine themselves to the rooms set apart for them after lights out, or 9 30 p.m. I have never seen the slightest evidence of intemperance on Chief Guard Beaumont, and until a short time before this investigation, I had never heard that he was in the habit of visiting taverns either by himself or with guards. I cautioned Mr. Beaumont against such a course. About September after the re instatement of Guard O Brien I suspected that there, a degree of jealousy existed; that a degree of favoritism was shown to O Brien because he was a Roman Catholic. Deputy Chief Guard happened to report, among the first reports, English the acts. Meehan and O Brien guards, and Mr McCarthy steward, all these happened to be Roman Catholics and the charges were proven against all and the offences against prison discipline. Orders repealed. From the remarks of the steward who complained that they were so closely watched by the Deputy, I gathered that he (the steward), and the cook, thought that they were being persecuted, because they were Catholics. I explained to them that no feeling of the sort could possibly exist, as they well knew that no such thing would be tolerated by me, as had also been the

case in the police force, that I did not care what religion they belonged to, so long as they did their duty. I have frequently enjoined upon the Chief Guard and the Deputy, to guard against such feelings, and a short time after the organization of the prison I published an order to that effect (Order No. 4. of June 5th). Nothing in connexion with that feeling has been reported to me. When the steward first came to the prison, he complied with the prison orders; shortly afterwards he refused to attend the evening count, which I considered important, as he had prisoners in his charge which he had to account for. Upon his neglecting to attend, an order was made and read to the steward requiring the attendance of every prison officer at the evening count, as it appeared to me to be most important for the safe keeping of the prisoners, that 'the officers attend the evening count, and do not absent themselves until the count was ascertained to be correct. Up to the moment the steward has ignored this order. He also ignores the order requiring the attendance of officers and guards at the reading of the General Orders in accordance with Order No. 3 of the 7th July. I originally required that the steward should attend the reading of all orders, believing that it is essential that every officer and guard should know what is required of them in relation to the prison service and in their relation to each other, but finding that he neglected or refused to obey this general order I amended order in his case, only requiring his attendance when the orders touched upon his own duties. He still ignores the order, and won't attend as I am obliged to send the Chief Guard to read such order to him. I produce copies of orders from the Central Prison Order book 19 respect to the delivering up of all keys of the outer entrances to the centre building and not admitting persons to the prison after "lights out." Those orders the steward has ignored. He has retained the key of the store-room door and let himself into prison after hours, he has also let others in. He has also disobeyed order of June 4th 1874, and June 24th, requiring that visitors shall enter and depart from the south entrance from the central building, and prescribing that no one must be admitted to the prison until a pass signed by the Warden and countersigned by the Chief Guard or Deputy. The steward has generally ignored the disciplines of the prison, and has stated that he did not consider that he was called upon to obey the order published the same as a guard. The cook has taken the same course, and sets my orders and the orders of the officers under me at defiance. I have heard the evidence of Chief Guard Beaumont and Deputy Stedman respecting the breaches of discipline and disobedience of orders on the part of the steward and cook, and from investigations made and of my own knowledge in many instances, I state that they are strictly correct. I have frequently reasoned with both of them, but without any good effect.

WILLIAM STRATTON PRINCE,
Warden Central Prison.

Central Prison Order, June 4th, 1873.—*No.* 11. All duties are to be conducted in a quiet and determined manner, and a *boisterous tone of voice in talking, whistling or singing* in the guard room and other parts of the Prison, are strictly prohibited.

12. Discussions or disputes of any nature, as to politics or anything else, within the prison premises are strictly prohibited, and the Chief Guard and Deputy will report to the Warden any infringement of this order that may come under their recognition.

CENTRAL PRISON, February 1st.

Order No. 1.—In consequence of the improper practice that has prevailed of the officers creating a disturbance in the guard room by talking, arguing, &c. after "lights out," —a practice which is contrary to all prison rule and discipline, and which is peremptorily forbidden in other Institutions of the same kind, the Deputy Chief Guard, who, in the absence of the Chief Guard, is held responsible for the quietude and regularity of the prison at night time, will report to the Warden any deviation from the following order:—

2. It is ordered that silence shall be observed in the guard room and officers apartments, after "lights out," and that the officers confine themselves to the rooms set apart for them.

Prison Order No. 4, 5th June, 1874.—16. Guards are expected to be courteous and respectful towards each other, never using improper language and always cultivating a proper and respectful deportment and they are to abstain from the expression of any political or *religious opinions* calculated to give offence.

June 5th, Order

15 Lights are to be out in the guard-room at 9 30 p.m at which hour all officers and employees quartered in the prison are expected to be present, except any who may be specially permitted an extension of time for one evening

CENTRAL PRISON, July 6th, 1874.

Order No. 1.—The Deputy Chief Guard is to have in his possession all keys belonging to the entrance doors of the centre building at night time those keys are to be taken charge of by the Deputy at 9 30, p m after personally seeing that the doors are locked, and he will enter of a morning in the book designated 'the Chief and Deputy Chief Guards' Note Book,' a certificate as follows —

9 30 p.m 1874.

I certify that all officers were present and correct, and lights out at 9.30, p.m (or otherwise, as the case may be.)

DEPUTY CHIEF GUARD.

CENTRAL PRISON, July 12th, 1874

Order No 1.—The attention of the officer is called to Paragraph 15 Rules and Regulations, which is as follows —"Lights are to be out," &c.

* * * * *

The Deputy Chief Guard will see that this Order is not deviated from, and that no admittance into the prison is permitted after the prescribed hour

CENTRAL PRISON, Sept. 26th, 1873.

Order No 1.—The Chief Guard will deliver over to the charge of the Deputy Chief Guard every evening before he leaves the prison, the key of the north entrance gate.

CENTRAL PRISON February 1st, 1874

Order No 2.—All keys of the outer doors of the central building are to be delivered up to the Chief Guard at the evening counts.

CENTRAL PRISON, June 4th 1873

Order No. 4.—(12) Visitors to the Central Prison must enter and depart through the south entrance of the centre building and when passing through the prison will conduct themselves in a quiet and orderly manner, loud talking, laughing, and personal allusions to prisoners, by pointing or otherwise, are strictly prohibited

CENTRAL PRISON, June 24th, 1873

Order No 1.—No person shall be admitted to the Central Prison other than employees and officials connected with the prison without they produce a pass according to the prescribed form, which is signed by the Warden, and must be countersigned by the Chief Guard or deputy

CENTRAL PRISON, August 31st.

Order No 1.—It having come to the knowledge of the Warden that persons have been improperly admitted into the Central Prison, by prison employees, it is ordered as follows —

1st. No person will be admitted into the prison after 6, p.m. and not after 4, p m., on Saturdays and no admittance on Sundays (Clergymen excepted)

2nd. No person whether a friend of a prison officer or not, will be admitted without a pass, previously countersigned by the Chief Guard or Deputy, and these officers are strictly enjoined to use great discretion in allowing people into the prison works; indeed it is better to apply to the Warden, when applications are made to visit the prison works, as it is not at all desirable that these works should be open to visitors, except under special circumstances, and on employees of the prison will be permitted to obtain a pass for a friend to visit the prison yard or works unless with the express permission of the Warden

3rd. Admittance to the prison will take place during the specified hours, by the south entrance centre building and through the east entrance gate. Persons having been found in the premises, admitted through any other medium, are to be arrested

4th. It is distinctly ordered, that the north entrance of centre building is to be used only for admission of stores for prison use.

Form of pass.

Good only when countersigned by the Chief Guard or Deputy, and must only be used for the route to and from the place designated.

CENTRAL PRISON OF ONTARIO

Warden's Office, ... 1874.

Pass .....

From ..... Gate to .....

.....

.....

W. S. PRINCE.

☞ The person holding this pass will be arrested and reported to the Wardens's office, if found in any other than the places designated in writing in this pass.

CENTRAL PRISON, June 19th

Page 8, Regulations.—15. Employees are strictly prohibited at all times from smoking inside the walls or cell-houses

CENTRAL PRISON, August 20th.

Order No 4.—The employees of the prison are referred to the prison rules and regulations. Paragraph 15, page 8. The Chief Guard will see that this is read to them

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OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C., ONTARIO
TORONTO, February, 19th, 1875

SIR,—I have the honour to report for your information, the escape of two prisoners named Lake and McKeown, transferred from Woodstock and Toronto Gaols to the Central Prison, under the following circumstances, viz.:—

The prisoners having by some means, cut through the bars of their cell doors, so as to obtain a space of 8½ × 7½ inches, crawled through and reached the floor of the corridor, from

the 3rd and 4th galleries of the south wing, by means of a crank shaft. They then concealed themselves in the dining room, and taking advantage of the door being opened to admit the yard night guard and engineer, *and its being left open during the time he was examining the* thermometers to ascertain the temperature of the building, the prisoners stepped into the yard broke open the clothes store dressed themselves gained the top of the wall by forcing one of the tower doors, and made good their escape They have not since been heard of

An investigation was made by me into the circumstances of the escape, and I found as follows :—

1st. That the escape was due to the gross neglect of duty and carelessness of Night guard Fowell who was dismissed with forfeiture of all arrears of pay

2nd To the inadequate arrangements made by the Warden to ensure a proper observance of duty by the night guards, and to the loose manner in which that duty had hitherto been performed a knowledge of which encouraged these prisoners in their attempt to escape.

3rd. To the fact that the entrance to the wall towers is from the inside of the yard instead of being as recommended by me on the outside of the walls. This is the second escape that has been facilitated by this means.

I at once gave directions to the Warden to take the most stringent measures to prevent a recurrence of this event, framing his orders so as to meet every detail of night guard duty, and improving such checks upon their vigilance by night visits and otherwise that a rigid performance of duty should be imperative. The Warden now reports that such measures have been taken as to effectually prevent other escapes by the same means.

I have the honour to be, Sir,
Your obedient servant,
J. W. LANGMUID
Inspector.

The Hon. A. McKellar
Provincial Secretary.

WILLIAM HARDIE Prince yard Guard and Foreman being sworn, deposed as follows — My duty is to keep the steam up at night and Prince yard Guard I go on duty at 5 p.m , and go off duty at 7 a.m I visit the corridors at various times during the night in order to examine the steam pipes and find out the state of the heating, I enter by the centre dining-room door leading out to the yard, then I open the wooden outside door and knock on the iron gate for the night-guard to admit me, entered four times last night,—at 9 p.m., 10-35, p.m., 1.0 m. and 4 a.m I knocked three times, but at 4 a.m found iron gate open, have found it open several times before this Guard Powell on duty last night, was on duty when I found the gate open, found it open when O'Brien was on duty, don't remember any other guard a name who has been on duty when gate was left open, never reported that I found the gate open before this. After entering at, as usual, the north and south corridors to examine the dormitories saw and spoke to Guard Powell on each occasion of my entering. Powell followed me to the door on each occasion of my going out; Powell knew about what time I would come, so that he expected me. Have sometimes knocked at the door and waited for a quarter of an hour and had to go away without being admitted I have told guards that I have been obliged to go away Saw nothing unusual when I went out at 4 a.m last night, heard no noise in the yard I could not say whether the gate was locked when I went in at 4, a.m before Powell left it to follow me to north corridor

WILLIAM HARDIE,
Prison-yard Guard.

JOHN POWELL Guard being sworn, deposed as follows.—Went on duty last night as night guard at 6, p.m , went off duty at 6 30 a.m , saw Chief Guard at 7 and 8—p.m , Guard Hardie about 10 and 11 30 p.m , at 12 30 and 2 and 4 a.m , did not come in at 11 30, saw the Warden at 11 30, and spoke to him passed through guard room and saw guards on duty at 7 30, 9, 6 30. p.m. saw the Deputy Chief at 8 30 passed through guard-room on my way to hospital, went to hospital through south corridor stone steps at 1 30 and 4.40, a.m saw no guards at these occasions I went nowhere else than from one corri-

door to the other through dining room except on those occasions, have key to open wicket gates, hospital key of outer gate from dining hall to yard the dark cell key and key of sleeping-room, when on duty as night guard always keep these keys in my pocket. Yard-guard Hardie did not knock when he wanted to come in at 4 a.m., had opened it for him, and stood waiting for him at the door of the north corridor, left key in the door and did not go back to lock it until Hardie went away about five minutes, went with Hardie into corridors at 2, a.m., and 4 a.m.; sometimes hang key of gates on the ledge over dining room door. I frequently leave it there sometimes carry it, with wicket key in my hand, is meant that I carried a small key in my pocket. door was left unlocked when I went round with Hardie at 2 a.m. door was not locked when Hardie was in at supper at 12.30, a.m., stayed with Hardie at that time, close to gate; did not follow Hardie into corridors at other times, when he came in, stood at the door till he came out, door was unlocked; spoke to one prisoner in his cell, No 14 gallery, south wing, at about 8, p.m.; he was making a noise laughing, heard no other unusual noise during night; went to top gallery south wing at 7.30, heard talking there visited top gallery, both sides, about 1, a.m., did not visit galleries 7 and 8 visited 5 and 6 once about 11 visited 3 and 4 once 10.15, p.m., and once a little earlier frequently passed round 1 and 2; visited 9 and 10 frequently; visited 11 and 12 about 8.45 p.m., a part of 14 about 9 or 10 p.m., visited first cell only did same thing 10 and 12 galleries, did not visit these galleries again did not visit 13 and 14 till between 1 and 2, a.m., and then only went to the end, except when I went to prisoners in 14 gallery early in the evening, visited 15 and 16 galleries three times, once at 7.30, 8 and 9 p.m., and 15, gallery, went only part of the way about 7.30 Did not visit 18 again through the night When Guard Hardie went out at 4 a.m. I followed him to the gate and locked it, then walked around south wing north wing and then up to the hospital Visited dark cell before I went up to the hospital. I took key of gate in my hand when I went up to hospital kept key in my hand from that time till I was relieved Put key on ledge over door frame, at 11.30 it was there all the time until after 4 a.m., used wicket key at about 4.30 and came into the Warden's office, remained six or seven minutes, locked gate and took key with me, came into office to make out my report.

My instructions are that I am to visit the galleries frequently, as time is mentioned Guard Hardie has told me that he has knocked without being able to gain admission. I told him I came as soon as I heard him. Did not see Prisoner McKeown last night, did not look into his cell knew him, did not know him to be a dangerous prisoner Saw him sitting reading one night did not speak to him that I am aware of Did not know Lake Heard no noise from these galleries last night. Thought it unnecessary to visit galleries frequently as I heard no noise My opinion is that the prisoners got out of the gate into yard, while unlocked at about 4 a.m. while I was in north corridor with Hardie Prisoners might have concealed in dining room as it is dark Heard the orders read with reference to escape of prisoners extraordinary vigilance enjoined. Warden has frequently called my attention to necessity for going round galleries when visiting me at night. Understood from night guards who I relieved, that I should come into Warden's Office to make out reports.

JOHN POWELL,
Guard

Prisoner W HOWARD, No 335, cell next Lake's.—Heard no noise during night. Heard guard, or thought it was guard pass once through night.

Prisoner J TURNER No 506, gallery 16.—About 10 or 11 p.m., was lying in bed awake, heard some one pass and saw two prisoners as they passed went very quietly Stood at end of gallery some time Stand awake for two hours in order to tell the night guard Did not see the night guard at all Heard them climb down crank bars at south end Heard no other noise.

WILLIAM SHEPP, No 290, Gallery 14, next to McKeown.—Heard whispering in gallery 16 and slight noise about twelve, p.m. Heard no other noise. Thought it was the guard

WILLIAM THORNTON, No. 262 next to McKeown.—Heard some like filing every night this week Heard telegraphing with spoons on door at night.

Rules and Regulations for the government of the Central Prison of Ontario, Toronto.

DEPARTMENT OF
INSPECTION OF ASYLUMS, PRISONS &c., ONTARIO
TORONTO, 9th April, 1875

SIR,—I have the honour to transmit herewith for the approval of His Honour the Lieutenant-Governor in Council, a copy of the Rules and Regulations framed by me, in conformity with the provisions of 34th Victoria, cap. 17, section 7, defining the duties of the various officers and employés of the Central Prison, and regulating the management, discipline, and routine of that institution, all of which is respectfully submitted.

I HAVE the honour to be, SIR,
Your obedient servant,
J. W. LANGMUIR,
Inspector

The Hon. the Provincial Secretary,
etc., etc., etc.

'The annexed Rules and Regulations, for the Government of the Central Prison of Ontario, were approved by His Honour the Lieutenant-Governor in Council, on this 19th day of April, 1875

J. G. SCOTT,
Clerk Executive Council.

Executive Council Office,
Toronto, 19th April, 1875

I.

1. The Officers and staff of the Central Prison shall be as follows:—
A Warden
An Accountant.
A Surgeon
A Storekeeper.
A Chief Guard
A Deputy Chief Guard.
A Bailiff
An Engineer
A Cook (and Baker)
And such guards as may from time to time be required

II

WARDEN

2. The Warden is the responsible head of the prison, and superior in authority to every other officer. It is his duty to see that the rules and regulations are strictly observed, and he is responsible for the proper administration of the affairs of the prison except in the financial department.

3. He shall, with his family, be required to reside in the prison, but shall not use the prison labour (except for purposes specified by the Inspector), nor shall he use the services of any officer or servant of the prison for his private advantage. He shall, in virtue of his residence, be entitled to fuel, light, and water in addition to furnished apartments, but shall receive no other perquisite whatever.

4. The Warden is responsible for the discipline of the prison, but shall not see the said prisoners, he shall carry out all orders made and instructions given by the Inspector of

Prisons, he shall frame and issue from time to time such orders as may be necessary in furtherance of the prison rules and regulations, entering such orders in the Warden's Order Book; he shall interpret all rules and instructions, in cases where a doubt arises, and his decision shall be binding on the other officers, and relieve them from responsibility; he shall see that all the officers under him are careful, vigilant and zealous in the performance of their duties; he shall report to the Inspector of Prisons any neglect of duty, carelessness, insubordination or disobedience of orders on the part of any officer of the prison, and shall see that any orders made by the Inspector for such misconduct under the provisions of 34 Vic., Cap. 17 sections 8 and 9, are strictly carried out; he shall see that justice and morality characterize the conduct of all officers; that no unnecessary severity or harshness is used towards any prisoner; that no profane or indecorous language is used by any officer or prisoner; and that the prison service generally is carried out with humanity and discretion.

5 In giving effect to the rules framed for the encouragement of good behaviour and industry, great responsibility is thrown upon the Warden; and every officer of the prison, that, by giving to every prisoner the exact measure of justice to which his behaviour entitles him, the true intention of the rules may be carried out; and as the discipline of the prisoners depends upon the impartiality, intelligence and discrimination of the subordinate officers of the prison, it shall be the duty of the Warden by constant examination and supervision to satisfy himself that the reports as to the conduct of prisoners are correct and reliable.

6 The Warden is responsible that the rules and regulations in respect to the dieting and clothing of the prisoners are strictly enforced; that the food is well cooked and cleanly and wholesomely served, and punctually at the times appointed; he is to see that due economy is exercised in the preparation of the food, and that any changes in the dietary recommended as necessary by the Surgeon are properly carried out. He shall be present at least once a day at the meals furnished to the prisoners, to see that all regulations are observed.

7 The Warden is responsible that any prisoner who is reported sick by the Surgeon, shall be placed in the hospital and supplied with the diet ordered by the Surgeon. He shall visit the hospital at least once a day, to see that the regulations and the orders recorded in the Surgeon's Minute Book are duly observed.

8 The Warden is responsible for the preservation of cleanliness and order in every part of the building, yards and grounds, and shall see that the shops and grounds occupied by the instructors are at least once a week cleared of filth, dirt, cinders and refuse matter, and that no lumber or material is piled on the grounds that will endanger the safe-keeping of prisoners, and shall see that the persons of the prisoners, their clothing, bedding and cells are clean and well kept. He shall see that the walls are whitewashed as often as necessary, and that no cutting, writing, or mark of any kind (except the necessary prison marks) is allowed to remain on the furniture or walls or on anything belonging to the prison.

9 The Warden is responsible that the prison is properly heated, ventilated and lighted. He shall see that thermometers are kept in the various positions known to be the warmest and the coldest portions of the corridors, which shall be visited at stated hours during the night, and a record kept of the temperature at such times.

10 The Warden is responsible for the security of the prison, and shall see that the following rules are observed.

(1) That the locks are secure and in good order.

(2) That the entrance doors of the prison shall never be left open, or a key left in any lock, and that the keys are in the custody of the person in charge at all times.

(3) That before a guard enters a cell while any prisoner is in the corridors, the bolt shall be shot and the keys shall be removed so that the door cannot be closed upon him.

(4) The Warden or an officer deputed by him, shall once a day at least examine all cell doors, stair and passage doors, and carefully examine each window grating.

(5) That all implements, or materials of work calculated to facilitate escape, shall be carefully collected and removed each night from cells and corridors and locked up in a secure place. No ladders shall be allowed to remain inside the prison proper, but shall be kept in a securely locked store.

(6) That all prisoners employed in domestic offices shall be closely watched, and

never left unwatched. No prisoner shall have access to the main door of the prison, or be allowed to communicate with prisoners in their cells

(7.) That all prisoners, cells, furniture and bedding shall be carefully searched at irregular intervals to see that no improper articles are concealed.

11 The Warden is held responsible that each night, before the hour of retiring, every part of the prison in which prisoners are confined shall be visited either by himself personally, or by the Chief Guard, and he shall cause the night guards to be visited on each night at irregular times to make sure that they are on the alert.

12. The Warden is held responsible that all guards who are placed on duty for the night, shall be fit for duty in every respect, and shall so arrange the Roster for night duty that no excuse can be offered for sleeping on their post

13 The Warden is responsible that the working gangs are paraded at proper hours, and marched off to their various workshops that in the case of sickness or discharge of a prisoner another shall be selected to fill his place, and thus keep up the complement, that the shop guards, instructors, and workmen employed within the prison walls observe all the regulations of the prison, that the regular hours for work be not exceeded; that the gangs are mustered and counted at each meal and before locking up, and at each prisoner may be present when closing the prison for the night, that the workshops, boiler-houses, engine rooms, store-rooms sheds, watercloseets and lumber yards shall be examined every night after locking up, to see that all is safe, that the fastenings of all gates or doors leading to the outside shall be secure and locked, and that no persons other than the employees of the Prison is on the premises, that no material is placed at or near the walls to facilitate escape on the inside or outside that the yard night guard is vigilant and alert in the performance of his duty, that the wall guards are at their posts before the prisoners are allowed into the yards in the morning, and do not leave their posts until after locking up at night that they are properly armed that their rifles are in good order, and that they have a sufficient supply of ammunition; and that every means are taken to ensure the security of the prisoners during working hours

14 The Warden shall visit each workshop at least once every day during the time the prisoners are working, and shall satisfy himself as to the behaviour of each prisoner—his industry, alacrity and zeal in the execution of his work. He shall observe the relations that exist between the prisoners and guards, instructors and workmen with a view to check undue familiarity or intimacy, and shall see that no prisoner is worked beyond his capacity or strength and that no favouritism exists

15 He shall satisfy himself that no prisoner receives any gift, reward or letters from any guard instructor or workman and that no communication is carried on by such means with parties outside the prison Should he discover such correspondence, he will at once suspend the offender, and prevent further intercourse with the prisoner reporting the circumstances to the Inspector of Prisons.

16 The Warden shall not absent himself from the prison for more than twelve hours without giving notice to the Inspector of Prisons nor shall he absent himself from prison duty for more than forty eight hours without leave of absence or in case of sickness, reporting himself sick to the Inspector of Prisons On all occasions of his absence he shall leave the next senior officer in charge, who shall perform all his duties, and be subject to his responsibilities; but it will be the duty of such officer to reserve for the Warden's consideration all important matters that do not demand immediate settlement. Should an extraordinary emergency arise, reference will at once be made to the Inspector of Prisons.

17. When any subordinate officer is found by the Warden to be unfit for his duties, or defective in moral character, it shall be his duty to report the case to the Inspector of Prisons, suspending him from all prison duty pending the Inspector's investigation into the case. The Warden will not however summarily dismiss any officer without such investigation When any officer is so suspended, and from the date of such suspension, no wages accruing or in arrears will be paid to him as he is held liable to fine under the Inspector's authority

18 The Warden shall consider it his duty to make himself acquainted with the social habits and conduct of every officer of the prison, particularly whether when off duty, he is a frequenter of taverns or houses of similar resort, or associates with idle or loose characters, reporting the facts to the Inspector

19 The Warden shall use every means in his power to forward the reclamation of the

prisoners under his charge He shall see that they attend Divine Service regularly or such religious meetings as may be held for their benefit and instruction and shall facilitate their communication with clergymen of their respective denominations for religious instruction he shall see that the books of the library are regularly issued to those entitled to their use and that morality and decorum characterize their behaviour

20 When a prisoner is received into the prison the Warden shall cause him to be bathed, his hair cut and beard, &c., shaved, and he will then be examined by the Surgeon should he be suffering from any disease he shall be disposed of as the Surgeon shall request He shall be clothed in prison dress and the Warden or Chief Guard shall read over to him the rules of the prison and if free from disease, he shall then be removed to a cell, and be placed in a working gang

21 The Warden shall cause a complete inventory to be made of all property or clothing found on the person of a prisoner in a book to be called "Prisoners' Effects Book" should any money be found it will be handed to the Accountant to be deposited in the Post Office Savings Bank in trust for the prisoner and it shall be paid to him on his discharge with any interest that may have accrued. Upon the serious illness of a prisoner, he shall notify a clergyman of the denomination to which the prisoner may belong, and shall consult the wishes of the prisoner as to any particular person he may desire to see. Upon the death of a prisoner he shall at once report to the Inspector of Prisons in writing giving particulars as to name sentence where from duration of illness, nature of disease, etc , and when practicable shall inform the nearest relations of the deceased and shall record the facts in his Journal In case of the escape of a prisoner he shall instantly give information to the Inspector of Prisons, and to the Chief Constable of the City and neighbouring towns, giving a description of his person Before any prisoner is discharged he shall cause him to communicate with his relations or friends, stating on what day and at what time he will be released, that they may have an opportunity of sending him money to procure a passage to his home. Passage moneys so supplied will be expended by the Warden who will issue a ticket to be purchased for the prisoner, and have him placed on the train in order to ensure his departure In the case of a prisoner having no means to enable his reaching home the Warden may recommend to the Inspector that a ticket shall be procured for him and if granted he shall be placed on the train by an officer of the prison

22 The Warden shall cause to be kept the following books viz —

(1) The Prison Register, containing the name and descriptive details relating to the prisoner, nature of offence term of sentence, &c., &c.
(2) The Punishment Book, showing the nature of offence and extent of Punishment awarded
(3) The daily Journal of occurrences at the Prison, with any remarks he may think called for respecting them.
(4) The Warden's Order Book, in which all orders issued from time to time must be entered
(5) The Reference Book, in which must be entered all minor cases submitted for decision to the Inspector of Prisons, with a margin for remarks.
(6) The Inspector's Minute Book.
(7) Prisoners' Effects Book.
(8) The Prisoners Labour Distribution Book
(9) Officers Misconduct Book
(10) Prisoners' Visiting Book

23. The Warden shall make the following returns to the Inspector of Prisons, viz —

(1.) A weekly return showing the movements of prisoners in the prison for the preceding week, with distribution on back, showing occupation at time of return
(2.) A quarterly return of all punishments inflicted and for what offence.
(3.) A quarterly return of clothing, &c., issued to prisoners, showing the condition of that which is in use.
(4.) A quarterly return showing the work performed in the prison workshops for the preceding three months with value of material, &c., used, and value of stock manufactured

(5.) An Annual Report for the year ending 30th September, showing the operations of the prison for the year and containing the following tables

Table showing movements of prisoners during the year.
Remarks upon working of the prison
Distribution of prisoners on 30th September.
Nationality and religion of prisoners.
Social condition and habits of prisoners.
Education of prisoners.
Ages of prisoners
Terms of sentences.
Counties from whence committed
Offences for which committed
Occupation previous to committal

III

Accountant

24 Subject to the control and authority of the Inspector the Accountant shall act as Financial Agent of the Prison and shall have general superintendence and charge of its financial affairs.

26 He shall purchase and pay for all supplies and stores for every department of the prison, when authorized by the Inspector to do so, and no bills for the same or for any service connected with the prison shall be paid without his knowledge and without having been first submitted to and marked approved by the Warden

26 He shall keep the accounts of the prison, and prepare monthly statements of the receipts and expenditures thereof which shall be sent to the Inspector for audit, to be forwarded by him to the Treasurer of the Province for payment.

27 He shall make an exact copy in the day book of every account paid by the prison and shall accurately analyse the same under proper heads of service on the Journalising side, he shall post such entries in the Prison Ledger every month, immediately after the accounts have been paid, and shall then make out a statement of all expenditures *in duplicate*, to be laid before the Inspector and the Warden, showing the balance unexpended on the appropriations for the year's maintenance under each heading.

28 He shall examine and check all invoices, and with the Storekeeper shall check all goods by the invoices and shall see that all quantities are entered in the stock book, and that the quantities of goods received agree with those charged on the invoice and shall procure the signature of the Storekeeper to the invoice as "received and correct," before forwarding the same for payment.

29 He shall, from time to time, check the 'Stock Book" with the Issue Book and see that the quantities issued and in store agree with the quantities in the stock book, and that these books are properly and neatly kept.

30 He shall be held responsible that the quantities of supplies in store are adequate for the requirements of the prison, and shall from time to time, as requisitions are made upon him by the Storekeeper marked "approved" by the Warden, make purchases of the same when authorized by the Inspector if such goods are not then in store

31 Supplies for the prison shall whenever practicable, be obtained by contract, which will be entered into by the Inspector of Prisons. The Accountant shall take care to give timely notice of the termination of every contract, so that a new one may be entered into It shall be the special duty of the Accountant to see that all contracts made for supplies are faithfully executed, that the articles are strictly of the quality specified in the contracts, and delivered in the time or times required. Especially with reference to articles of food, he shall take care that if any part is unwholesome or not fully according to the specification of the contract, he shall cause it to be at once taken away by the Contractor and if the Contractor does not immediately replace it according to contract, he shall cause a quantity sufficient to replace it to be purchased forthwith in the market, the price of which shall be charged in the Accountant's books against the Contractor

32. If any doubts arise as to the fitness of any article of food, he shall, together with the Warden and the Surgeon, decide whether the same shall be received or rejected

33. In order that a strict system of economy may be insured, the Accountant is enjoined to make such inspection and inquiry into the expenditure under each head, that he may be satisfied that the expenditure is legitimate that the appropriation for each service is not exceeded, or that there has been no apparent want of economy in the use of that which has been consumed

34. He shall receive from the Warden, weekly, the time books of the various shop guards which he shall see are properly certified in the manner prescribed in the contract leasing certain prison labour, and when examined and found to be correct, he shall charge in the books kept for that purpose, the amount of convict labour furnished to Contractors under the terms of their contract.

35 He shall also keep in a book provided for that purpose, a record of prisoners' labour expended upon any alteration, improvement, repair, or addition to any of the buildings, works, machinery, drains, yards, grounds, or property of the prison, or any prison labour expended on the farm or garden and in the various branches of the domestic and culinary services of the prison, such statement of prisoners labour to be made up weekly and certified by the Warden as that the precise value of prison labour may be ascertained and preserved

36 He shall receive from the Warden from time to time, lists of prisoners, their ages, and previous occupations, in order to enable him to make tender of their labour to the Contractors He will note in a book to be kept for that purpose, the number, names, and dates of such tenders and he shall furnish to the contractors all accounts and statements called for by any existing contract.

37 He shall attend at his office regularly from 9 a m until 5 p.m. in summer from 10 a.m until 4 p m in winter, and at such other hours as may be necessary for him to leave no arrears of work

38 He shall prepare and make out the following statements for the office of Inspector of Prisons —

(1) Statement of expenditure (monthly) in duplicate, to accompany monthly accounts, by the 18th of each month.

(2) Statement of revenue and expenditure (monthly) to accompany vouchers of receipt.

(3) Statement of labour account as furnished to Contractors (monthly)

(4) Statement of casual revenue (monthly) by the 18th of each month

(5) Requisitions for supplies (quarterly) and stock list of articles in store, on the 1st January, 1st April 1st July and 1st October in each year

(6) Abstract from stock and issue book, showing losses of clothing by wear and tear during half year

(7) Inventory of prison property (yearly) on the 1st January

39 He shall also prepare a statement of expenditures for the year ending 30th September, together with

a. A statement of labour account furnished to Contractors for the year ending 30th September

b. A statement of casual revenue for the year ending 30th September These statements must be in the Inspector's Office by the 5th of October

40 He will also prepare similar statements for the year ending 31st December which must be in the Inspector's Office by the 20th December as no payments can be made from the Treasury Department after that date On furnishing this statement he will close his books for the year

IV

Surgeon

41. The Surgeon shall visit the Prison at least once a day, not later than 9 a m , and oftener if required he shall have the general charge of the health of the prisoners, and the officers and employees of the Prison resident upon the premises and shall be responsible for the professional treatment of those who require such treatment.

42 He shall see every prisoner as soon after his admission as practicable, and he shall see that the weight of each prisoner is recorded on being received into the prison shall carefully examine him as to the hardness or softness of his muscles, the pliancy or stiffness of his limbs, and the general state of his health, the result being duly recorded He shall note any evident peculiarities in the mental qualities of prisoners.

43 He shall visit sick prisoners as often as the different cases may require, and at least once in every month he shall go into every room and cell in the prison, and see every prisoner, He is responsible in the course of his visits or otherwise, for discovering whether there is any cause of sickness in operation especially from the following, viz want of cleanliness, either in the person of the prisoners or in their clothing or bedding; insufficient supply of food or of water unwholesome quality of food or of water, want of warmth, either from the coldness of the cell or from the insufficiency of the clothing or bedding; want of ventilation; dampness or malaria; imperfect drainage, insufficiency of exercise in the open air

44 Wherever he discovers any cause of sickness he must give immediate information of it to the Warden and if the evil be not remedied immediately it shall be his duty to communicate the fact in writing to the Inspector of Prisons

45 The Surgeon shall keep a book to be called the "Medical Register," also a book to be called the "Surgeon's Minute Book" both of which shall be open to inspection in the Prison and Hospital He shall enter in the Medical Register the nature of every case of illness which is sufficient to prevent a prisoner from working giving the date of commencement of such illness the name of the prisoner, the ailment or disease, whether the prisoner was treated in the hospital or in cell, the result of such treatment, and the number of days that the prisoner was incapacitated for labour, while under his care, also every death and the causes of the same In his "Minute Book" he shall record daily, for the information of the Warden and the Hospital Guard, opposite the name of the prisoner requiring medical treatment, his orders for exempting such prisoner from labour, giving the period of such exemption, his prescription for medicine and treatment in every case, orders for extra diet, and the continuance of the same, and all directions and orders for the proper treatment and care of sick prisoners.

46 At his morning visit he shall first see the prisoners who report themselves sick, and he shall then decide whether they shall be returned to their work or shall be ordered to the Hospital or their cells for medical treatment, reporting the names of the sick to the Warden In performing this duty, he must bear in mind that with many prisoners every means will be resorted to, in order to shirk their work, and much depends upon the skill of the surgeon in detecting feigned sickness

47 He shall visit daily those prisoners who are under confinement for prison offences, and he shall be present on all occasions that it may necessary to inflict corporal punishment.

48. In attending the prison officers, resident upon the premises, who may be incapacitated by illness from the performance of their duties, he shall report to the Warden the nature of their illness, and when they are able to return to their duties. And when desired by the Warden shall visit officers at their houses and report similarly upon their case If prevented from attending to his duties through illness or other unavoidable causes, he shall submit for the approval of the Inspector the name of another medical practitioner who shall perform his duties during his absence.

49 He shall report to the Warden from time to time as may be required, upon all matters pertaining to his duties, and annually or oftener, if required he shall report to the Inspector upon the health of the prisoners, and the sanitary condition of the Prison, with such recommendations as he may deem necessary for the preservation of health and improvement of the service, and he shall also give such occasional returns as are or may be required

50 A guard styled the "Hospital Guard," is detailed to assist the medical officer in the execution of his duties. His duties are at all times, to follow the directions of the medical officer, and obey his orders in the treatment of the sick

V

Storekeeper.

51 The Storekeeper shall take charge of the stores and store-rooms of the Prison, subject to the supervision of the Accountant and he shall be held responsible for the condition of the goods committed to his care, and for the order and neatness of the store-rooms.

52 He shall see that every article of clothing and bedding and all general stores that will admit of it, are properly marked with the prison stamp, as soon as they are received into store, and before they are issued for service

53 He shall keep the following books —A book to be called the 'Stock Book,' in which a separate account shall be opened for every article of food, clothing, bedding, furniture furnishings and property belonging to the Province, for the use and purposes of the Central Prison, charging on the debit side of the account, in weight quantity or measure, every such article received into store for prison use and crediting monthly all issues of the same for consumption and use A book to be known as the Issue Book in which shall be entered daily the weight quantity &c, of all stores or supplies issued for consumption or use, and which shall be made up monthly and entered on the credit side of the Stock Book

54. A book to be called the 'Ration Book,' in which shall be entered weekly, in detail the provisions and supplies used for rationing the prisoners, showing the entire cost of the whole for the week, and the average daily and weekly cost per prisoner also giving the same information in respect to the guards' mess, two copies of these abstracts shall be prepared and handed to the Accountant at the end of each week, one for transmission to the Inspector and the other for the Warden.

55 The Storekeeper shall make requisitions upon the Accountant for all provisions, stores and supplies for the use of the prison and prisoners such requisitions to be first submitted for signature, and marked as approved by the Warden.

56 The Storekeeper shall deliver such provisions, stores and supplies to such officers of the prison and at such times as the Warden shall designate, upon such officer presenting a requisition for the same, signed and marked "approved" by the Warden

57 He shall assist the Accountant in keeping the books of the prison and in the preparation of the monthly accounts, and shall render such other assistance to the Accountant as the duties above detailed will allow He will also perform such other duties as may be assigned to him by the Inspector of Prisons and shall remain in his office from 8 a.m. until 6 p.m.

58 He will remain in the Bursar's office during office hours in the absence of the Bursar.

VI

Chief Guard.

59. The Chief Guard shall reside upon the premises and under direction of the Warden, take principal charge of the premises day and night, and shall see that all the disciplinary officers and employees faithfully perform the duties assigned to them by the rules and regulations, and the Warden's order book

60 He shall be present at the opening and closing of the prison keeping a record of the reception and discharge of prisoners inspect the prison at closing and see that all is in good order

61 He shall report to the Warden every morning the names of prisoners reporting themselves sick stating what is their complaint He shall take the medical officer to see the sick or complaining in the cells or hospital.

62 He shall prepare requisitions upon the storekeeper for such articles of stores as may be wanted confining his requisitions to that which is necessary, and preventing all waste and extravagant expenditure, but such requisitions must be marked "approved" by the Warden before the stores can be drawn.

63 He shall every day cause to be examined, the blankets, beds furniture locks-doors, and cells generally, and see that they are not injured and that no attempt at escape has been

made and that no implements are concealed Whenever he discovers anything wrong, he shall report the same to the Warden

64. He shall spend the whole day in general supervision of the disciplinary officers and employees, and shall direct them in their respective duties. He shall receive reports from such officers and employees of all cases of disobedience or violation of rules, and shall report the same to the Warden—attending before the Warden on his disposal of offending prisoners In the absence of the Warden, the Chief Guard shall have the Warden's power and authority, so far as relates to discipline &c. and shall be obeyed and respected accordingly

65. He shall be minute in the inspection of the guards when coming on duty, especially the wall-guards and their arms.

66 It shall be his duty generally to see that the whole establishment exhibits thorough neatness, good order and cleanliness.

67. He shall at all times have a strict supervision over the internal affairs of the prison, and especially of its police, and he shall be held responsible to the Warden that his orders are strictly obeyed, and to this end the Chief Guard must be present day and night that he may be able during the evening and night to see that all is safe, and that the officers on duty are vigilant and that the officers in the guard room are correct, and the guard room quiet, reporting anything otherwise to the Warden

68. He shall constantly reside at the prison

69 He shall visit the several working parties frequently and see that the prisoners are kept steadily at their work He shall diligently observe the behaviour of the officers and prisoners, see that they strictly adhere to orders, and shall immediately report to the Warden any neglect or misconduct that may come to his knowledge

70 He shall see that all the off sers are fully instructed in their particular duties.

71 He shall see that all prison keys are delivered up to him every evening at the "the evening rounds" and that they are securely disposed of for the night, under such regulations as may be established by the Warden.

72 He shall deliver to the cook daily, a return of rations required the following day, and compare those of the preceding day with the total number of prisoners. He shall notify the Storekeeper of any stoppages in the guards mess and shall see that no extra clothing is issued to a prisoner without the authority of the Warden

73 He shall keep a rounds book, in which shall be entered his daily routine of duty and special occurrences.

74 He shall see that the books and registers in the Warden's office are properly kept.

75 It shall be his duty to set an example of sobriety vigilance and energy to the officers under him. The practice of frequenting public houses and groceries where spirits are sold and of drinking in them is so disreputable, and so calculated to lower the efficiency and respectability of the officers of the Central Prison, that the Chief Guard shall bring under the notice of the Warden, any officer who entertains this habit, as he can not be permitted to remain upon the prison staff.

75 He shall also consider it a main part of his duty to exercise a sound moral influence over both the officers and prisoners placed under his supervision—

77 He shall frequently visit the prisoners in their cells. He shall restrain, by his authority, every tendency to oppression or undue harshness on the part of officers and likewise every tendency to levity, rudeness and insubordination on the part of prisoners, and shall discourage by his own example, and by the maintenance of a high moral standard, every disposition to deceit and falsehood and impress upon the prisoners a sense of their responsibility, and the benefits arising from a conscientious discharge of their duties.

78 He shall retain in his possession all keys of the grated doors leading into the north side centre building, also the key of the grated door between the prison proper and the meat department, and shall attend and open the same whenever required for the admission of stores, meat, and discharge of refuse, &c. locking the same after reception or discharge thereof

79 The Chief Guard shall fill up every morning, in the book designated "Prison daily labour distribution book" the distribution of labour for the days specifying under the heads of their several employments the nature of the work they are employed upon, and submit the same for the inspection of the Warden

VII

Deputy Chief Guard.

80 He shall reside in the prison He shall assist the Chief Guard in the general superintendence of the officers and prisoners &c., in the execution of his duties.

81 He shall be constantly patrolling and visiting the working parties, reporting to the Chief Guard any infraction of discipline neglect or dereliction of duty that may come under his notice.

82 He shall whenever required take the place of any Shop Guard who may be absent

83 He shall see that all prisoners on arrival are thoroughly cleansed their beard removed, and their hair cut close and that they are supplied with a suit of prison uniform

84. He shall also personally supervise the bathing of prisoners at the stated periods.

85 He shall promptly report to the Chief Guard any indications of disease that he may discover, and shall see that the plain clothes taken from prisoners on their arrival are properly cleaned, repaired if necessary and then securely tied up in a bundle marked and put away in the 'clothes store room' for safe keeping, to be restored to them when discharged

86 He shall personally superintend the change of dress by prisoners to be discharged this change is invariably to take place in the 'Drying Room' and the deputy shall see that every article of prison clothing is taken and delivered over to the Storekeeper

87. He shall lose no time in communicating to the Chief Guard for the information of the Warden every circumstance which may come to his knowledge affecting the safety and health of the prisoners, and the efficiency of the officers, or in any other way requiring the Warden's attention.

88. He shall pay particular attention to prisoners confined in the dark cells for punishment.

89 If under any circumstances, the Warden and Chief Guard are both absent, the charge of the prison shall devolve upon the Deputy Chief Guard

90. The rule of conduct to be observed and example to be set by the Chief Guard, apply also to the Deputy Chief Guard.

VIII

Bailiff.

91 The Prison Bailiff shall be attached to the Central Prison for purposes of pay, but shall be considered as an Officer of the Department of Inspection He will, however be amenable to all general rules for the guidance of officials of the prison while within its walls and when not otherwise employed shall do such duties as may be assigned to him by the Inspector of Prisons, in connection with the service of the Central Prison

92 He shall be responsible for the safe conveyance and transfer of all prisoners from Common Gaols to the Central Prison and shall make such reports, and prepare such transfer papers as may be necessary for the purposes of the prison

93. He shall account for the expenditure of all moneys entrusted to his charge, and shall sign a monthly statement of expenses incurred in the transfer of prisoners

94 He shall be responsible for the conveyance of all money and valuables found on the persons of prisoners, when committed to gaol until he can hand them over to the Warden of the Prison, and receive his receipt therefor

95. He shall perform such other duties as may be assigned to him by the Inspector of Prisons, under the provisions of Sec. 1, Cap 24, 38th Victoria.

IX

Engineer.

96 The Engineer shall have general charge of all fittings and matters connected with the supply of water, gas steam, &c, and of the repair of locks, bolts, &c He shall also be responsible for the serviceable state of the fire hose and hydrants, engines, boilers, &c.

97. He shall keep accounts of all consumption of coal, wood, gas, &c., connected with his department, and use every exertion to promote economy in these particulars

98 He shall make such daily or other reports, and keep such records connected with his department as shall be required by the Inspector of Prisons. He shall attend to the steam boilers, engines, fires, &c. during his period of duty, and see that the machinery is kept clean and in good order

99 He shall attend with the other guards every evening at the "evening count," accounting for the safety of the prisoners under his charge; he shall not leave the premises until the withdrawal of the Wall Guards, upon the evening count being found correct, and on his being relieved by the Prison Yard Night Guard and Engineer

100 He shall not absent himself from the Prison during his hours of duty without leave from the Warden

X.

Cook and Baker

101 The Cook and Baker shall superintend the cooking and baking for the whole prison, including the prisoners' and guards' mess, and shall be held responsible for the proper cooking of the food, and for the cleanliness of the kitchen and bakery, the coppers and all utensils in use in his department.

102 He shall board and lodge upon the prison premises, and not absent himself therefrom without permission of the Warden

103 He shall make requisitions upon the Storekeeper, which are to be signed by the Chief Guard, and countersigned by the Warden, and delivered by the Chief Guard to the Storekeeper for the supply of rations for the use of the prisoners and the guards' mess. A certain hour each day shall be set apart by the Warden for the delivery and reception of stores to and from the storekeeper's department, for the kitchen and other parts of the Prison proper after which the communication between these departments shall be closed, except for special requirements

104. He shall every morning receive from the Chief Guard a list of the number of prisoners to be dieted and shall keep such an account of the number of prisoners, and the quantity of food received into the kitchen as may be required of him by the Warden

105 He shall be exact in measuring or weighing the provisions to be served out to the prisoners and guards' mess at each meal, and it shall be his duty to see that due economy is observed in the management thereof, and that no waste takes place in his department, and to report to the Chief Guard for the information of the Warden, any defects he may observe in the quality of the articles of food.

106 He is strictly forbidden to employ any prisoner in the kitchen unless authorized by the Warden. He shall be responsible for the good conduct and obedience to prison rules and discipline of all prisoners employed under his charge and he shall immediately report to the Chief Guard any infringement of the prison rules and regulations, on the part of the prisoners detailed as his staff, such as unnecessary talking, wrangling or smoking, and it will be the duty of the Chief Guard and Deputy Chief Guard to visit the kitchen and adjoining apartments frequently during their tour of duty, to see that the rules are enforced

107 The Cook shall conform to the rules and regulations of the prison and such orders and regulations as shall be issued from time to time, in the same manner as any other guard and account personally for the number of his squad to the Chief Guard at the evening count.

108. He, together with the prisoners comprising his staff, shall confine himself wholly to those departments which are placed under his supervision within the prison proper, viz, the kitchen and bakehouse

109 All prison keys entrusted to his charge during the day shall be delivered up to the Chief Guard at the evening count.

110 The Chief Guard, or the Deputy will always attend at any hour named by the Warden for the purpose of opening the gates or doors to which the Cook or his staff shall have access.

111 The Cook shall lock up and keep out of the prisoners' reach food of any description, such as that which goes down to the kitchen from the Guards' mess, &c., which they

might otherwise be tempted to take, and he is on no account to give the prisoners any food beyond their proper allowance and quality

XI

Prison Yard Night Guard and Fireman

112. He shall mount duty at the evening "count," and shall patrol in and about such parts of the prison yard and buildings, and during such hours as the Warden may direct. He shall vigilantly watch the premises through the night. He shall note down in "The Night Patrol Report Book" for the Warden's information, the precise nature of any irregular or extraordinary occurrence during the night.

113. In case of fire or other emergency, he will instantly communicate with the Night Corridor Guards, they in their turn arousing the guard room officers. He must attend to the engines, boilers and fires during the night time, keeping a record during the winter months of the register of heat as shown by the thermometers in the corridors. He shall observe due economy in the consumption of fuel and gas.

XII.

Hospital Guard.

114. He shall reside upon the premises, and not leave them without the permission of the Warden.

115. He shall attend the sick under the direction of the Prison Surgeon, and shall assist in preparing and dispensing the medicines ordered by the medical officer, and see that the medicines so ordered are taken by the patients at the proper time, and that the diet ordered by the surgeon is given and properly entered in a book.

116. He shall see the complaining sick every morning before the prisoners are sent to work, having them in readiness for the visit of the surgeon.

117. He shall on no account suffer his prison keys to be in the possession of any other person, or lay them carelessly about, or admit any stranger into the hospital without obtaining the Warden's authority.

118. He shall keep the hospital books properly filled up according to order. He shall be particular in calling the surgeon's attention to any case that may require instant attention.

119. All orders for the removal of prisoners from the cells to the hospital must be signed by the Surgeon, also those returning prisoners from the hospital, and these orders are to be registered in a book to be kept for that purpose, termed the "Hospital Guard Book."

120. He shall see that the prisoners in the hospital are clean in their persons, and wash themselves properly, and that every prisoner has clean sheets at least once a fortnight, and that their linen and stockings are changed every Sunday morning.

121. He must be particular as to the number of articles sent from the hospital to the wash, and take an inventory of the same, and that there are no deficiencies on their return.

122. He shall be particular in enforcing cleanliness in any part of the hospital. He shall keep such light burning during the night as the Warden or Surgeon may direct.

123. He shall keep a report book, in which he shall daily report to the Warden and Surgeon all occurrences of importance in the hospital such as want of repairs, the misconduct of any prisoner, any irregularity in the supply or quality of provisions &c.

124. He shall be responsible for the safe custody of all provisions or medical comforts provided for the hospital and of all medicines, bedding, necessaries &c., committed to his charge, keeping inventories of the same, and he shall render such account of them as may from time to time be required.

125. He shall not issue any drugs or other articles without written directions from the medical officer except in cases of emergency. He shall not upon any pretence bring wine or spirits into the hospital for his own use, or non-authorised books or papers.

126. He shall conform to all orders and regulations.

127 The Hospital Guard shall take charge of the library and issue the books for the prisoners use under such orders and regulations as may be issued by the Warden

128 In the event of his time not being fully occupied in the discharge of the duties hereinbefore stated, he shall be liable to the performance of such duties as the Warden may order

129 He shall attend the evening "count" with the other guards.

XIII.

Special Rules for Guards.

130 Guards will under no circumstances leave the prison without permission from the Warden or Chief Guard, but hold themselves in readiness for active service, night and day.

131 The first and most important duty of a guard is, at all times, to maintain the safe custody of the prisoners, and should prisoners attempt to escape, the laws of the Province justify the shooting of such or of any persons who may be assisting in such attempt, if such action is found necessary in order to prevent the escape. Except in extreme cases, offenders should be distinctly warned of the consequence before shooting is resorted to.

132 Wall Guards are required to pass their beats while on duty, with rifle in hand, only stopping for rest MIDWAY ON THEIR BEAT, AND WITHOUT SITTING

133 Guards while on duty are strictly prohibited from smoking, and from reading books, papers letters or communications of any kind and from conversing with any person, except on the nature of their duties may require

134 Guards must keep their arms and accoutrements clean and in perfect order, constantly ready for use, and neither mar, mark, nor deface them in any manner Wilful or careless loss, destruction or damage to the arms will be charged to them, and they will be required to pay for the same.

135 Guards or employees must never leave their posts or duty assigned them until relieved by proper authority, and guards when relieved, will report at the guard-room, and remain in readiness for duty at a moment's notice, until permanently dismissed.

136 The guards will require on the part of the prisoners such strict compliance with such rules of the Prison as may come within the province of their special duties to enforce, and report at the earliest practicable moment any infraction thereof.

137 The Chief Guard and Deputy Guard are held strictly accountable for the management of all ARMED GUARDS, their arms, accoutrements and everything pertaining to their several duties. A willing and cheerful obedience to them is expected in whatever they may direct.

138. It shall be the duty of the Night Guard in the corridors, during the night, to keep patrolling round the block of cells, and upon the galleries with worsted slippers on, 'noiselessly, that he may be able to detect and suppress any unnecessary violation of the required silence and it is strictly enjoined upon him not to suffer the prisoners to speak except to make known to him their immediate wants

139 Guards are to be at all times properly shaved and dressed, neat and clean in their persons, and properly equipped

140 All duties are to be conducted in a quiet and determined manner and boisterous tones in talking, whistling, or singing in the guard-room and other parts of the prison are strictly prohibited.

141 Discussions or disputes of any nature, as to politics or anything else within the prison premises are strictly prohibited, and the Chief Guard and Deputy will report to the Warden any infringement of this order that may come under their recognition

142 Guards are expected to be courteous and respectful towards each other, never using improper language, and always cultivating a proper and respectable department, and they are to abstain from the expression of any political or religious opinion calculated to give offence.

143 Guards will be respectful in their manners, and courteous in their language to all officials or strangers visiting the prison under the proper authority

144. Lights are to be out in the guard room at 9 30 p m. at which hour all officers and employees quartered in the prison are expected to be present, except any who may be specially permitted an extension of time for the evening

145 Guards when off duty, will not be permitted to wear their uniform, but will wear plain clothes

146 The uniform clothing is to be kept in good repair at the Guard's own expense, except when worn in the execution of duty The uniform is not to be the property of the Guard at any time, but is merely for his official use whilst an officer of the Central Prison

147 Guards are directed not to use as topics of conversation at any time and in any place, the incidents occurring in the performance of their several duties, in regard to the prison or prisoners, or their own or others' sphere of duty in the prison

148 Visitors to the Central Prison must enter and depart through the south entrance of the centre building, and when passing through the prison must conduct themselves in a quiet and orderly manner Loud talking laughing and personal allusions to prisoners by pointing or otherwise are strictly prohibited

149 Two guards shall every night (at 7, p.m., in winter, and 8, p.m., in summer), visit all the workshops, engine rooms, and cellars upon the premises where fire has been used during the day and search thoroughly for any sign or indication of fire, and shall report to the Warden and Chief Guard the slightest trace of care that may there be discovered. These officers are not to handle, touch, or disturb any of the tools or machinery or other property of the contractors.

150 Guards are constantly to keep in mind that it is required of them to prevent any prisoner making his escape AT ALL HAZARDS

151 All guards sent on escort duty shall wear their belts and pistols outside their tunics.

152 Guards taken ill shall immediately report themselves to the Chief Guard, who will send them to the Surgeon and ascertain the cause of their illness, and report such to the Warden

153 On guards being taken ill off duty, and unable to report themselves as usual for duty, they shall despatch without delay a written report to that effect to the Chief Guard, the latter sending the report to the Medical Officer, who shall attend the Guard's residence and report his case to the Warden.

154. The Corridor Night Guards shall be armed

155 It shall be the duty of each Corridor Night Guard, immediately on his coming on duty, to carefully examine the door of each cell and see that it is secure and not tampered with. The grated doors leading from the guard room and dining hall into the corridors are to be closed and locked on the night guards mounting duty

156 The night guards are ordered to search and patrol every gallery in their respective corridors continuously. The patrolling of a gallery means not simply walking along it, but moving along noiselessly, closely observing the cell doors on passing, stopping frequently and listening in the event of any noise such as *filing bars*, or other indications of attempts to escape betraying themselves. Upon inspection of the cell doors as a night guard coming on duty, he shall see that a prisoner is in the cell, *assuring himself that what he sees is a real living person.*

157 A book shall be kept on each corridor during the night-time, to be designated "The Night Patrol Report Book" in which the night guards shall register the incidents that occur during their period of night duty, the time they mount and the hour they are relieved, the hours that they are visited, and the degree of heat every two hours as registered by the thermometer These books to be laid in the Warden's office for his inspection every morning by the Chief Guard

158 The "call tale" clock is to be checked by the night guard every hour, and every time the clock is checked, the guards shall proceed to the dining-hall gated gates, which face each other, and wait until they see each other, and signal "all right" or otherwise. In the event of a guard not appearing and signalling within *ten minutes* of the proper time, the guard waiting shall instantly repair to the guard room arouse the officer and procure the keys Should the guard not answering in time be unable to account for his absence satisfactorily, it shall constitute a breach of prison discipline, and shall be treated accordingly, and if a guard is disabled by an escaped prisoner, the escape will, by the observance of this rule, be soon discovered

159 All property in the possession of prisoners on their arrival at the Central Prison, shall be registered in a book kept for that purpose at the time their description is registered, commencing with the prisoner's No. and name, then description of property, and lastly the

condition of their clothes, specifying whether in good condition or the contrary; this is to be signed by the prisoner and witnessed by the Registering Prison Officer. Prisoners are on no account to be placed in cells without being examined and properly registered; their boots shall be invariably removed.

160. The wall guards are not to leave their posts from the hour of commencing, until the evening signal is sounded for their relief: their mid-day meals will be served to them in the towers, and extra vigilance is required of the wall guards during the prisoners' dinner hour. The wall guards are required to be vigilant and on the alert and they are never to keep inside the towers unless forced in by stress of weather, when they must keep a sharp look out through the windows of the towers. The wall guards are to be reminded that they hold the key to the safety of the officers and security of the prisoners, it is therefore essential that their attention should be concentrated upon the action of prisoners within their view, and especially those near the base of the walls.

161. The Guards and employees of the prison shall be particular in keeping their watches by the time of the guard room clock as the small entrance door shall be closed and locked at 10 *p.m., according to prison time*, and not opened for the admission of any official after that hour.

162. No person will be admitted into the prison after 6 p.m. and after 4, p.m. on Saturday, and no person shall have admittance on Sundays. Clergymen excepted, unless accompanied by the Inspector of Prisons, who shall have access at all times.

163. No person shall be admitted without a pass, previously countersigned by the Chief Guard or Deputy Chief Guard.

164. The north entrance gates, centre building, are to be only used for admission of stores for prison use.

165. In the event of an officer being suspended or dismissed, he shall not be permitted to enter the prison premises.

XIV

Rules for Shop Guards

166. Shop Guards shall under no circumstances leave the prison without permission but must hold themselves in readiness for active service both day and night.

167. Shop Guards are required to be promptly at the Cell House at the appointed hour in the morning, to receive their respective gangs, and from that time until the prisoners are again locked in their cells they will be held strictly responsible for the conduct and safe custody of their entire gang.

168. The duties of the Guards should be understood as separate and distinct from those of Foremen for Contractors, and the Guards will not interfere with or attempt to instruct the prisoners in the manner in which they shall work or on what particular part they shall labour, or on what amount of work they shall perform, but they shall listen to all reports the foreman may desire to make, and dispose of the cases as they may have been instructed.

169. It is desirable that the Guards should understand that their success in controlling prisoners depends very much on their own deportment, and a sharp and close observation of all that occurs around them.

170. Shop Guards will require on the part of the prisoners a strict compliance with such rules of the Institution as may come within the province of their special duties to enforce, and report at the earliest practicable moment any infraction thereof.

171. All Guards while on duty are strictly prohibited from smoking and from reading books, papers, letters or communications of any kind and from conversing with any person, except as the nature of their duties may require.

172. Shop Guards in charge of sections at work, shall not allow their prisoners to make any enquiries relative to any subjects not immediately connected with their duty, employment or wants, or to speak or hold any conversation with each other or to leave their work without permission, or to speak to or gaze at visitors, but shall see that they are continually employed and that they labour diligently in order and in silence.

XV.

Prison Gate Guard.

173. The Gate Guard shall allow no team or person unaccompanied by the Inspector of Prisons, the Warden or Chief Guard, to pass in or out of the prison yard except such persons whose names shall be placed from time to time upon a list signed by the Warden and in possession of the Prison Gate Guard and persons being at such times engaged in the performance of their duties as officers or employees in connection with the prison works except any person he in possession of a pass in writing signed by the Inspector of Prisons the Warden or Chief Guard, and he will take up all passes as the holder leaves the yard, and return them daily to the Warden's office. He will examine all teams passing in and out and see that nothing is concealed

174. He shall have charge of the keys of the gate and shall unlock it in the morning for the admission of the officers and employees, and such persons who are authorized to enter, and look them for the night at such hour as the Warden shall from time to time direct. He shall not leave his post from the time he mounts duty to the hour of relief

175. The Gate Guard shall not allow any officer or employee attached to the prison to pass through the gate during the hours of duty without the authority of the Warden.

176. The Guard shall keep a list of all employees residing in the prison who shall go out on leave, in order to know if they enter at the proper time.

177. In case of doubt as to an order for admission into the prison being genuine or properly obtained, the Gate Guard shall apply to the Warden or Chief Guard, before allowing admission. He shall be watchful to prevent escape, and he shall be watchful to observe closely the appearance of workmen, carters &c., passing out through the gate, in order that he may detect any attempt on the part of a prisoner to escape in disguise

178. The Gate Guard shall only admit to the prison yard, vehicles which have loads for the use of the Works or Prison, cabs, carriages, &c, must remain outside.

179. The Gate Guard shall be armed, and his hours of duty shall be the same as those of the Wall Guards.

XVI.

General Rules for the Government of Guards and other Employees.

180. All persons entering upon or retaining any position in an employee of this prison, must do so with the full understanding that they are to lend a prompt willing and positive obedience to the rules of the prison—and the instructions of its officers, and devote their best energies and abilities industriously and faithfully to the performance of the duties to which they may be assigned; and all who cannot do so cheerfully, must neither accept nor expect to retain any position here.

181. Any employee desiring to leave the service of the prison will be required to give thirty day's notice of his intention to do so otherwise all pay due will be forfeited

182. All employees who are subordinate to the Chief Guard will be required to report to him, and he shall keep their time and send to the time book to the Accountant

183. No employee will be allowed to absent himself from duty under any circumstance, without permission from the Warden or Chief Guard.

184. Employees are strictly prohibited from taking newspapers, books or other reading matter inside the walls or cell houses, AND ARE ABSOLUTELY PROHIBITED FROM LEAVING ANY CITIZEN CLOTHING INSIDE OF THE YARD OR CELL-HOUSES.

185. Employees are strictly prohibited from talking with prisoners at any time, except as the nature of their business may require and all familiarity between employees and prisoners is absolutely prohibited.

186. Employees are prohibited from selling to, or buying anything from a prisoner, or giving to or receiving from them anything in the nature of a gift or present or conveying to or from them any message, either written or verbal. Any ministers or other religious instructors, or Sunday School teachers, permitted to attend the prison, shall not receive from or confer any present upon the prisoners, or become the medium of communication between them and their friends or others, and they shall conform to the rules and regulations adopted

for the government of the prison; any infringement or departure from which rule shall debar them from future intercourse with the prisoners.

187. Employees will be required to pay for the wilful or careless destruction, loss, waste, or damage by them, of any property of the prison.

188. Employees are prohibited from using profane, indecent, abusive or insulting language towards prisoners, and it is especially desirable that they should refrain at all times from the use of such language in or about the prison.

189. All employees are prohibited from discussing within the limits of the prison, the manner in which any officer or employee performs his duty, and from making any remarks which might tend to reflect upon the character or management of such officer or employee. They are also prohibited from discussing in the presence of prisoners, matters relating to the discipline or management of this or other similar Institutions.

190. Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating drinks in or about the prison. Intoxication will insure dismissal and will never be overlooked.

191. Employees will refrain from visiting the shops or yard while off duty, and from receiving visits from friends while on duty.

192. Employees are prohibited from replying to like terms to what they may conceive to be impudent or insulting language on the part of a prisoner. Their duty in to report such infraction of discipline.

193. Employees are prohibited from passing in and out of the gates except when official duties render it necessary for them to do so.

194. Employees are strictly prohibited at all times from smoking inside the walls or cell houses.

195. No officer or employee shall directly or indirectly have any interest or any contract or agreement with reference to any supplies to the prison, nor shall he receive directly or indirectly, under any pretence whatsoever, any fee or gratuity or present from any contractor, or person tendering for supplies, nor from any prisoner or prisoner's friend, nor from any person visiting the prison.

196. All wrangling and disputes upon points of duty between the officers of the prison are strictly prohibited; questions of this kind must be referred to the Warden, and all complaints rendered in writing to him; such complaint must be tendered within twelve hours of the occurrence complained of, or it will not be received; and if it should be found that the complaints are frivilous or vexatious, or arise from a spirit of malice or revenge, the complainant will render himself liable to dismissal. Officers and employees having any grievance connected with their duties must state the same in writing for the Warden's consideration.

197. Every officer or employee who shall knowingly bring in or carry out, or endeavour to bring in or carry out, or knowingly allow to be brought in or carried out, to or from any prisoner, any money, clothing, provisions, tobacco, letters, papers, or other articles whatsoever, shall be at once dismissed and criminally prosecuted.

198. Any officer or employee who has been found guilty of an act of negligence, carelessness or insubordination, will be reported to the Inspector of Prisons, who has authority to impose a money fine, proportionate to the gravity of the offence, upon such officer or employee.

199. Any employee of the prison obtaining leave of absence shall leave the prison premises at the announcement of his leave, and not return until the expiration of his leave; should he return before, he shall be considered on duty from the time he returns.

200. All prisoners on their arrival at the Central Prison shall be handed over to the Receiving Officer detailed for that duty, and he by him marched to the "Drying Room." They will then be stripped and washed, during which process all bodily marks are to be recorded, the whole of the clothing worn by them removed, and a prison suit furnished them and care is to be taken that no opportunity is afforded to the prisoner to convey any article into his cell. Trinkets or money taken from the prisoner are to be handed over to the Chief Guard, who shall register the same in the "Prisoner's Property Book." the record to be read over to the prisoner who shall sign to the same and his signature is to be witnessed to by the Receiving Officer, a register of his clothing shall also be entered specifying whether it is in good condition or otherwise. After washing the prisoner shall be examined by the Prison Surgeon. Any prisoner being found medically unfit for the prison labour is to be immediately re-

ported, in writing, by the Prison Surgeon to the Warden, in order that the information may be forwarded by him to the Inspector of Prisons. The prisoner's hair is to be cut short and his face shaved. Previous to his being marched to his cell the prisoner's description is to be taken and registered in the 'Entrance Examination Book.' All property taken from any prisoner shall be made up in parcels and docketed with the name of the prisoner to whom the property belongs. After prisoners are received at the prison, the rules relating to the conduct of prisoners, their treatment, and that which affects the prisoner as to his present and future conduct, shall be read over to him by the Chief Guard.

201. The Guard Room is for the exclusive use of the disciplined officers of the prison. It consists of an associated dormitory for the Guards, the Chief Guard's Room, the Deputy Chief Guard's, and the Guard's Mess Room. Silence and decorum shall be preserved in the Guard Room. Conversing in a loud tone of voice is strictly forbidden.

XVII.

Routine of Duty.

202. All Guards will parade and report themselves daily for duty to the Chief Guard at a quarter to six o'clock in the morning.

203. At a signal from the Chief Guard the Shop Guards will take their keys and proceed to their respective galleries and unlock the cells; the other Guards taking up such positions in the corridors as the Chief Guard may direct, where by their presence and watchfulness, they shall endeavour to prevent any communication between the prisoners, and other improper conduct on their part.

204. At the next signal the prisoners shall all step out of their cells, and move off in file down stairs to the ground floor, where they will form up in columns of galleries. On their return to their cells, each prisoner will take up his breakfast ration and proceed to his cell and stand with his left hand on the *gate* till the first gong is sounded; he will then step inside, closing the door up *to the look*, but not fastening it, on the second gong signal all doors shall be pulled *home*, and the crank immediately put on, the Balcony Guards remaining at their posts until this is done. The guards will then form in line, and report to the Chief Guard that their respective galleries are correct in otherwise.

205. If the number is correct, upon a signal from the Chief Guard the guards will break off and go to their breakfast with the exception of one, who will remain to patrol the corridors.

206. At 6.45, a.m. each working day the guards will again assemble, and on a signal from the Chief Guard will unlock their cells as before, form their prisoners in line and march them with their night buckets to the "bucket stand," returning to the parade ground opposite the dining hall door, where they will form up in columns of galleries, ready to be formed into working parties under the personal supervision of the Chief Guard.

207. Prisoners shall continue at their work until the whistle sounds at 12 o'clock, noon, when the gangs will be formed in close file outside, and well clear of their shops, in the order in which they are arranged in their cells, and be marched into the "dining hall," each guard giving his "count" in writing to the Chief Guard as they are searched in. The prisoners will remain standing until the gong sounds, when they will take their seats and proceed with their dinner. Half the guards will then proceed to dinner, for which twenty minutes shall be allowed, after which they shall relieve the other half. At ten minutes to 1 o'clock the prisoners will be moved out to their respective shops, each gang rising on a signal from its guard, who will hold up his right hand, and then march off his squad without word of command.

208. At the 6 o'clock whistle to "cease work," the gangs will again form up in close file as at midday, and be marched to the bucket stand, when each prisoner will take up his night bucket, and carry it on his left arm, using his right hand to take up his evening meal, and proceed to his cell, place the bucket and supper inside, and stand facing his cell as in the morning; the first and second sound of the gong being always the signal for his entering and closing the cell door. He will then stand inside his cell with his right hand grasping the grated grate while the gates are being briefly locked and the "counts"

are being made. The guards in double locking shall see that each prisoner "stands to his front," with the right hand grasping the grated door of his cell

208 The wall and gate guards will remain at their posts till the second signal whistle is sounded, until this sounds, the security of all the prisoners is in abeyance and should the second whistle be delayed the wall guards will at once understand that there is a prisoner missing and be on the alert accordingly

210 Upon 'Counts' being taken previous to marching in the gangs are to fall in outside, and well clear of their workshops, and the 'Count' is to be taken from front to rear In marching off, the guard's place is in a line with the rear file, and whilst marching the prisoners faces are to be turned, and heads inclined towards the flank that the guard is on.

XVIII.

Rules for Contractors' Foremen

211 The chief duty of the Contractors' Foremen is to instruct and direct prisoners in that particular branch of the business to which they are assigned and to do so in a mild, but firm and dignified manner

212 Foremen are not required for the purpose of governing or disciplining prisoners, therefore it is not necessary that they should use force or threatening language in the discharge of their duties, and the use of such is strictly prohibited, except, of course, in case of self-defence, in defence of others, or to preserve the peace of the prison and maintain the safe custody of the prisoners.

213 When prisoners wilfully fail to carry out the instructions of a foreman or use threatening defiant or impudent language, or commit any other act endangering the peace and good discipline of the Institution, it shall be the duty of the foreman to immediately report the same to the guard in charge.

214 All foremen must be promptly at their respective shops at least ten minutes before the hour fixed for prisoners to commence work, and will be required to remain there during working hours, and make a thorough examination of their premises personally (after the prisoners have left), at noon and night.

215 All officers, foremen instructors, or other employees of the Contractors who may, under the regulations, be permitted to enter the Prison workshops or yard, must strictly conform to all rules and regulations laid down for the guidance of Guards or employees of the prison and any infraction of such rules and regulations by the employees of Contractors will be promptly dealt with.

216 A copy of these rules is furnished each employee, and they are to be enforced on all occasions.

XIX.

Rules for Prisoners

217 The following rules shall be observed by prisoners :—

(1.) The first duty of the prisoner is strict obedience and it will be to his interest to obey all rules and regulations.

(2.) On entering the Prison strict silence must be observed. No conversation between prisoners is allowed, except by permission of the officer under whose charge they may be

(3.) The prisoner must not speak to any visitor give to or receive from them anything, without the permission of the Warden or Chief Guard

(4.) Prisoners must not leave the ranks or their place of employment without permission If sick, or unable to work they must make it known to the officer in charge, and act as he may direct.

(5.) Prisoners must approach an officer in a respectful manner—always touching the cap or forehead before speaking He must be prompt in taking his place in line, march look step with the right hand upon the shoulder of the man in advance, incline his face toward the officer and attend to and promptly obey his orders. Prisoners passing through the yard must walk in file, never abreast.

(6.) On reaching the cells, prisoners will stand at cell with their left hand on the door. At a given signal will step in, close the door up to the lock, keeping hold until the second signal is given, when they will close it altogether, remaining with their hand upon the door until the bar is closed and the count is made. In case of miscount, he will resume his position at the door until the count is correct.

(7.) He must keep his cell and furniture clean and in good order. No marking or scratching the walls, nor spitting upon the floor, will be allowed. At the sounding of the 9 o'clock gong, P.M., all prisoners must put out their lights, undress and retire.

(8.) At the sounding of the morning gong, he must turn out, dress, make up his bed neatly, and be ready for marching out. At the signal, he must open the door, step out, and stand erect until ordered to march.

(9.) No prisoners will be allowed to stare idly at visitors or strangers passing through the Prison, neither will they be allowed to make any alteration in their clothing or the furniture of their cells.

(10.) All prisoners are required to attend religious services on Sunday, unless sick or excused by the Warder or Chief Guard. In Chapel silence must be observed. No reading will be allowed, and strict attention must be given to the service. Spitting upon the floor, shuffling of the feet, or any unnecessary noise is strictly forbidden.

(11.) Insolence in any form will not be tolerated. No smoking by prisoners is allowed on the prison premises.

(12.) Prisoners will be required to bathe once a week in summer and once in two weeks in winter, unless excused by the Physician, Warden, or Chief Guard.

(13.) Every prisoner shall have permission to write to his friends once in four weeks. In case of necessity for special letters, permission must be obtained from the Warden or Chief Guard. All letters written or received must first be examined at the office, under the direction of the Warden, before being sent or delivered. Visits from friends allowed once in eight weeks. The permission to write or to receive letters and visits from friends, or books from the library, is dependant upon general good conduct, and obedience to rules.

(14.) The use of books and all reading matter may be suspended by the Warden for violation of rules.

(15.) Prisoners must apply by letter to their friends or relatives, for money to take them home, a month prior to the expiration of their sentence.

(16.) Prisoners shall be required to labour diligently during those hours detailed for work, and in marching to and from their cells they shall observe such order as may be directed by the Warden; they shall be required to communicate with their Guards in a respectful manner, and with the greatest brevity; they must conduct themselves with perfect order, and in strict obedience to the direction of their officer.

(17.) Each prisoner shall have a Bible in his cell, a hymn book, and may take such tracts and books as shall be approved of, and furnished to him.

(18.) Punishment will be resorted to as rarely as necessity will admit; the regulations of the prison are, nevertheless to be observed and maintained inviolate, and all infraction thereof, or any resistance to the lawful commands and authority of the Guards, shall subject the offenders to solitary confinement, and to be placed in irons at the discretion of the Warden, and the Warden is authorized to employ and permit the use of weapons by the Prison Guards, to put down insurrection by force, and to prevent escape at all hazards from the prison.

(19.) No visitor will be permitted inside the prison unless accompanied by a Prison Guard.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C., ONTARIO.
TORONTO, 11th June, 1875.

SIR,—I have the honour to report for the information of HIS HONOUR the Lieutenant-Governor, that a prisoner named Richard Climsy, escaped from the Central Prison, Toronto, on the 14th May, at 12.45, a.m., by placing a plank against the rear wall of the yard, by

which means he effected his escape. I have examined into the circumstances with this escape, and find that if the instructions that I gave, that at all times when prisoners were in the yards the wall guards must be on duty, had been strictly adhered to, the attempt to escape would in all probability never have been made. The escape, therefore, in my opinion, was attributable to the fact, that the wall guards were allowed to go to dinner before the prisoners were "counted in" to dinner. The Warden has forwarded me a copy of an order, issued immediately after the escape took place, which if attended to, should prevent escapes in the same manner.

On the first instant, two prisoners escaped by entering the tunnel drain running through the front grounds of the prison, where a gang of prisoners were employed in improving and ornamenting the grounds. The gang was under the supervision of five guards at the time.

I consider that the guards were guilty of neglect in allowing the escape to be successful, and the Warden should not have allowed prisoners who were sentenced to long periods, to have been taken into the front grounds. The names of the prisoners who thus effected their escape, were Robert Pursell, and Robert McCulloch; the former having an unexpired period of about four months to run, and the latter having a period of about one year and a quarter to run.

I have instructed the Warden not to take prisoners to work outside the prison walls, who have more than three months of their sentence to fill, and only then, under the most rigid supervision.

I have the honour to be, Sir,
Your obedient servant,
J. W. LANGMUIR,
Inspector

To the Honourable,
The Provincial Secretary

PROVINCIAL SECRETARY'S OFFICE, ONTARIO.
TORONTO, 17th June, 1875.

SIR,—Referring to your letter of the 11th inst., with reference to certain escapes of prisoners from the Central Prison, I am to direct you to institute an inquiry into all the particulars so as to ascertain to whose neglect any of such escapes is to be attributed. Your inquiry will be specific, in order that such guards or other officials to whom neglect is attributable may fully understand the reason for whatever subsequent action the circumstances may call for.

I have the honour to be, Sir,
Your obedient servant,
I. B. EDKART,
Assistant Secretary.

Mr Inspector Langmuir,
Toronto.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &c., ONTARIO.
TORONTO, 30th June, 1875

SIR,—In obedience with instructions contained in the communication of the Provincial Secretary of the 17th inst., I visited the Central Prison, yesterday, for the purpose of making a more specific inquiry, than that already instituted and reported upon, into the escape of two prisoners from the Central Prison grounds, on the 31st ult., that the officers who were guilty of neglect or carelessness may be dealt with as the Government may direct. I

examined, at the same time, into the circumstances connected with the escape of three prisoners named Deacon, Wyhe, and Cunningham, from the field attached to the prison for garden purposes, on the 31st inst. making five prisoners which have escaped from the prison grounds within three weeks, only one of whom up to the present time has been recaptured.

The circumstances and facts connected with the escapes from the front grounds on the 31st ult., are as follows —About forty prisoners were selected to work on the front grounds in draining levelling, and cementing. Those prisoners were divided into three gangs under three regular, and two supernumerary guards, as follows —Guard William Gifford, had charge of 10 prisoners, Guard William Johns, assisted by supernumerary Guard Wall, had charge of 14 prisoners and Guard Frederick Hill assisted by supernumerary Guard Henry Langman had charge of 20 prisoners. The prisoners were selected by Chief Guard Beaumont, and the gangs *and the guards* were being *generally* supervised by Deputy Chief Guard Stedman. The duties of these guards appeared to be sufficiently well defined by the Warden and understood by the guards, viz., that each guard was to be responsible for the safe custody of the squad under him, and in the event of any emergency all were conjointly to act for the safe keeping of all the prisoners. It appeared, however, that Deputy Stedman had other duties to perform besides supervising the work referred to, and sometimes was called away to attend to them.

The tunnel drain through which the prisoners escaped is of sufficient diameter to admit a man Commencing at the Grand Trunk Railway it runs into the prison grounds about 200 yards, with an opening at each end.

The danger of this drain as a means of escape, was fully known to the Warden and the guards and the work of putting in a covered box drain, from the opening in the grounds to the point where it intersected with another drain, was about to commence The prisoners comprising the gangs were all counted at one o'clock, p m on coming out from dinner and found correct. The gang in charge of Guard Gifford was placed at work north of the drain opening that in charge of Johns, north-east, and that in charge of Hill, south of the drain opening, and in full view of it. At two o'clock, the man in charge of the semaphore on the Grand Trunk Railway gave the alarm that two prisoners had escaped through the drain; but though pursuit was made by some of the guards the escaped prisoners were never seen by them What time between one and two o'clock the escaped prisoners entered the drain is unknown The conclusions I have arrived at after a careful examination into all the circumstances, are —

1st That the Warden erred in judgment—

1 In sending too great a number of prisoners out into the grounds to work.

2. In not personally examining the rolls to see that no long date prisoners were allowed to get into the out-door gangs, instead of leaving such important work to the Chief Guard

3 That he did not arrange to have the Chief or Deputy Chief Guard constantly present with such a large number of prisoners and guards.

2nd To neglect, on the part of the Warden in not having the mouth of the drain staked, or partially stopped up when his attention was called to the danger connected with it.

3rd. To disobedience of orders on the part of supernumerary Guard Langman who left only for a short time between one and two without reporting or obtaining leave This guard has since been dismissed for drunkenness

4th To neglect of duty on the part of Guard Frederick Hill in not keeping a proper watch over the prisoners committed to his care, in not frequently counting them to assure himself of their presence in the gang particularly as he was aware that the drain might be used as a means of escape; and in not noticing that the wheelbarrows which the escaped prisoners had been working with were lying idle.

I have to state that for this neglect on the part of Guard Hill, I have caused him to be suspended from duty pending your decision upon the matter now reported upon.

Respecting the escape of the three prisoners from the field attached to the prison, on the 31st instant, I have to report as follows —The prisoners, Wyhe, Deacon, and Cunningham,

were part of a gang of nine prisoners, under the charge of Guard Mansell, who has made the following statement:—

I am the guard in charge of the garden gang, Central Prison: the gang consisted of nine men. About 5.20, p.m., on the 21st June, the three prisoners, Deacon, Cunningham, and Wylie, were at the further end of the nine acre field, engaged in planting potatoes, and I told them I should require them in about five minutes, to go on with the rest, in watering newly planted cabbages. I called to the rest of the gang, and sent them down to go on with watering the cabbage patch: was *nearly three hundred yards away from the three prisoners plant ing potatoes.* I followed the prisoners to the cabbages and was engaged from five to ten minutes telling them in what way to water them; I then proceeded to bring in the other three at the potatoe patch; when I observed they were not in the field. I immediately gave the alarm, and after getting the remainder of my gang into the prison started in pursuit. Prisoner Deacon had been working under me in the field for two months; prisoner Cunningham has been with me since last summer, and out with me when I was in charge of prisoners working outside; prisoner Wylie had been in the garden for a month. The working of a piece of ground of the dimensions of the prison field necessitates the scattering of prisoners, the different kinds of vegetation requiring each daily labour in their culture.

"WM. MANSELL,
"*Guard.*"

I am of the opinion that these three escapes were attributable,

1st. To a serious error in judgment on the part of the Warden in allowing nine prisoners to be taken out into the field to work in charge of only one guard, although armed with a pistol: for it is obvious that if eight of the nine prisoners had run away, it would have been the guard's duty to remain in charge of the only remaining one until he was relieved, or had brought him back to prison. There should have been at least two guards, one of whom should have been armed with a rifle.

2nd. To the placing of too much confidence in the prisoners he had charge of, by guard Mansell, as shewn by his own statement, through which mistake he lost control over at least three of the prisoners committed to his care.

For this mistake on the part of Guard Mansell I have caused him to be suspended from duty until I am further instructed. I have also instructed the Warden of the prison not to take any more prisoners out to work in the grounds beyond the prison walls, except in the garden, and then only prisoners selected personally by himself, and under the charge of not less than two guards, one of whom shall be armed with a loaded rifle.

I have the honour to be,
Sir,
Your obedient Servant,
J. W. LANGMUIR,
Inspector

The Hon. the Provincial Secretary,
Toronto

PROVINCIAL SECRETARY'S OFFICE, ONTARIO
Toronto, 7th July, 1875

SIR,—With further reference to the correspondence respecting the escape of two prisoners on the 21st of May last from the Central Prison, I am now directed to say that, the matter having been referred to the Hon. the Treasurer, the conclusions set forth in your Report of the 30th June, have been approved of by him. I am further to intimate that the neglect on the part of the guard, Frederick Hill, should be visited with a reduction of a

week's pay, to serve as a caution against his being again found guilty of a similar neglect. With respect to the escape of these prisoners on the 31st June last, the Treasurer coincurs in the conclusion of your Report. The guard, Mansell, appears to have been sufficiently punished by his suspension from duty, which he may now be ordered to resume; his pay for the period of his suspension having been forfeited. You will be good enough to intimate officially the purport of the above to the Warden.

I have the honour to be,
Sir,
Your obedient servant,
I. B. EURART,
Assistant Secretary.

J. W. Langmuir,
Inspector, &c.,
Toronto.

EXTRACTS

From the Report of the Inspector of Prisons for the year 1876, in relation to the foregoing matters

'When it is considered that a very large proportion of these prisoners are habitual offenders of the petty order who have for many years been oscillating between one Gaol and another in the Province and not a few of whom have been committed to the Central Prison two or three times already I cannot but think that the periods of sentence, as indicated in the above summary, are much too short for the accomplishment of the objects aimed at in the establishment of this Prison. There is a class of offenders, the frequency of whose offences against law and order renders them pests to society, and whom after their third commitment to a Gaol, it would be much better to send to the Central Prison for the full term that the law allows, than for two or three short periods every two years or less. The civil condition of this class of prisoners—three-fourths of whom are unmarried—point to the fact that protracted incarceration would involve little or no hardship in families dependent upon them for a living On the contrary but for the humiliation thereby caused to relatives, their enforced absence from the family relation would, in most instances be a relief not only to their friends but to the community

'The fact that 441 of the 657 prisoners who were committed during the past year, were, from their own admissions, of intemperate habits affords additional evidence of the correctness of the conclusion

'The mistaken leniency of awarding short periods of imprisonment to this class is not only demonstrated by the very serious charge that their repeated trials cost the Province, but also by the persistency with which they return to their evil courses. No sooner is the dilapidated physical condition of these habitual offenders rehabilitated by the healthy regimen of a prison and the enforced suspension of dissolute habits than they are set free only to return in a short time for a repetition of the same kind of treatment. Apart from the mistaken leniency of short sentences in such cases, both from a moral and social standpoint, it is not fair to the Province which, at a great cost has established an industrial Prison, that just as soon as this class of prisoners are restored to such a bodily condition as to perform hard labour in the prison, their sentences expire and they are discharged. For this class of offenders, constituting about one-third of the commitments to the Central Prison it is most desirable that cumulative sentences be given until they reach the period of two years.

'Although this Prison was largely designed for the class of prisoners I have been speaking of still, an examination of the table of offences will show that if this intermediate establishment had not been in existence the crimes of many of the prisoners who were committed to it were of sufficient enormity to have consigned them to the Penitentiary It would appear that 23 were convicted of burglary, robbery and kindred offences 14 of assault with intent to rape; 34 of aggravated assault, 12 of cattle stealing 11 of forgery embezzlement, &c., while no less than 258 were convicted of larceny in its various degrees Many of these prisoners were hardened criminals who had expiated sentences, for previous crimes in the Penitentiaries of Canada and the United States Those two classes of prisoners—the petty but chronic offender against law and order and the old *habitué* of many penitentiaries, are, of all others, the most difficult to deal with. In this connection I may now refer to the system of

DISCIPLINE

that prevails in the Central Prison. In recommending the establishment of the Prison, I pointed out in my Annual Reports of that period the many serious defects and deficiencies of our Common Gaol system chief among which was the indiscriminate association of old and young, tried and untried in recent and guilty Not only were these classes of prisoners indiscriminately associated but they were so kept in utter idleness, which above all conditions is the most fruitful source of vice and crime and in addition discipline and order were the rare exception instead of being the rule in the government of these Gaols It was to remedy these defects, and to supply the deficiencies in our Gaol system, that the Central Prison was

founded. And in the administration of its affairs, keeping in view this object, I have no hesitation in saying that it is better to err on the side of rigid discipline than to a laxity of it, and with respect to the two classes of prisoners referred to that have to be dealt with it will be apparent to all, that so far as these criminals are concerned, the strictest kind of discipline becomes necessary

"Admitting, as I do, that for the proper protection of society, the punishment of crime and the reformation of the criminal must be the ground work of all effective systems of prison discipline, the very first step in the accomplishment of these objects is the entire subordination of the will of every prisoner to constituted authority The lives of habitual offenders having been one continued revolt against law and order with little or no subjugation of the will or exercise of moral restraint the very first lesson that these men have to learn on entering the Prison is implicit submission. Failing that the application of reformatory measures to those of this class who are not beyond such influences must prove abortive—whilst deprivation of liberty only, do those who are, is no punishment whatever, unless it be accompanied by strict prison discipline and enforced hard labour

"The labour that has to be performed by the prisoners in the Central Prison is no harder than what honest mechanics or labourers outside of the Prison have to do, and the hours are the same as in ordinary shops and in labouring employments the dietary being infinitely better than what a large majority of mechanics and labourers can supply themselves with by their honest exertions. Cleanliness, both in the persons of the prisoners and in every department of the Prison, together with the greatest promptness, punctuality and order in the performance of duty are strictly enforced.

"The rules and regulations in respect to these matters, and for regulating the general conduct of the prisoners, constitute the discipline of the Prison and its enforcement neither involves harshness nor severity, unless a prisoner renders that treatment necessary through disobedience or insubordination. The discipline of the Prison, however, must be maintained, and the rules and regulations obeyed, otherwise

Disciplinary Punishment

must be resorted to. This consists, firstly, of deprivation of a meal or certain privileges, secondly, confinement in the dark cell on bread and water diet and thirdly, confinement in the dark cell in irons. The latter punishment is administered by causing the refractory prisoner to be handcuffed to a ring in the wall about even with his eyes, the anklets being used to secure the legs to another ring in the floor Physical pain is, of course caused by the elevation of the hands and arms and the general laxity of the body, which, however, does not prevent the prisoner from shifting his posture and resting the head and shoulders against the wall When it was found necessary to administer this kind of punishment for the first time, the prisoner is given to understand that its duration after an hour or two, will depend upon himself If he expresses contrition for the offence committed, he is at once taken out of irons. If a prisoner however, has to be punished in this way more than once, he has to remain in irons for a fixed time, but if for a longer period than 24 hours he is taken down in the night and to his meals. The placing of a prisoner in irons is not resorted to except in cases of grossinsubordination, or of continued disobedience of the rules

"And here I may refer to certain charges, or rather insinuations that were made and which subsequently were formulated into charges against the Warden and the acting Chief Guard of the Prison, involving cruel treatment of the prisoners on the part of these officers. Although the examination into these charges of alleged cruelty took place after the close of the official year it is but proper that the matter should be alluded to in this report.

"It would seem that every instance of what was looked upon as cruelty was carefully noted by persons who had been dismissed from the prison service, and by certain others who were disaffected towards the rule of one or both of the officers alluded to. The acts of alleged cruelty extended from the opening of the Prison in June, 1874, up to the time of the investigation, but not in a single instance were they made known to me as Inspector, either verbally or in writing or as the evidence shows to the Warden Whatever spirit may have animated the persons from whom the information was obtained and however disingenuous its sources, it will, under the circumstances, be readily understood that due prominence would be given to every case of the kind that might come under the notice of the witnesses.

"The instances of alleged cruelty, as stated by all the witnesses in their evidence, numbered twenty three and a careful analysis of each case shews that they may be here divided into seven distinct categories, to each of which I will refer as briefly as possible

'1st. In six instances, prisoners while at drill or in marching order, and in three cases while at work, were tapped on the feet, legs hands, or some other part of the body with a cane used by the Acting Chief Guard, in order to get them to keep step or for other slight causes. The evidence however, pointed to the fact that this tapping—for it was nothing more—was very frequent for the first year after the opening of the Prison, and that it was not confined to the Acting Chief Guard, but was done more or less by nearly all the Guards. The practice having been noticed by the Warden, an order was issued, prohibiting it, which, from the evidence, it would seem had the desired effect.

"2nd In six cases, prisoners attempted to escape from the Prison by secreting themselves until the Guards should be withdrawn which rendered it necessary to keep the Guards on duty and without sleep for sixty hours. When these prisoners were discovered, the Warden ordered that five of them should receive six stripes with a small cane and the sixth a rope's ending. Three of these prisoners had been transferred from the Reformatory to the Central Prison, as being utterly incorrigible and beyond the reach of reformatory influences.

"3rd. In five instances, prisoners upon reporting themselves sick, were ordered by the Acting Chief Guard to return to their work, as he believed they were malingering—a practice which is of frequent occurrence, and that requires guarding against. In some of these cases the prisoners refused to go to work and were in consequence placed in the dark cell, and upon being examined by the Gaol Surgeon, the decision of the Chief Guard, in every instance except one, was sustained by the Surgeon, who pronounced the prisoners to be well and fit for work. The exception was a case of temporary faintness

'4th. One night at the close of 1875 or the beginning of 1876, a prisoner named Lewis became so noisy that he disturbed the entire dormatory, causing other prisoners to join in the noise. Upon reporting the case to the Warden, the Acting Chief Guard was instructed to place a wooden gag in the prisoner's mouth to keep him from shouting, and to handcuff his hands behind his back to keep him from breaking up the furniture in his cell On going into the cell to carry out this instruction, the Chief Guard alleges that the prisoner attacked him with a piece of iron broken from his bedstead, upon which he clenched the prisoner and beat him several times across the shoulders and hips with a key he had in his hand, after which the order of the Warden was carried out. The Turnkey, who was present, states that he did not see Lewis attack the Chief Guard. It is possible that the attack may have been made without the Turnkey seeing it, but in corroboration of the Chief Guard's statement it was clearly proven that the iron bedstead and cell furniture were broken, and that the prisoner had broken off a large piece of the stone jamb of the cell door. It was stated by several witnesses that the prisoner had given evidence of insanity prior to this occurrence, and subsequent events proved that the surmise was correct; but on the other hand, the Prison Surgeon did not certify to insanity for a considerable time after it took place. Under any circumstances, there is no proper place or means for the care of lunatics in the Prison the alleged cruelty, therefore considering this fact, did not consist in the means taken to prevent the other prisoners from being disturbed, but in the charge, if true, that the prisoner was struck other than in self defence.

'5th. One prisoner was kept in irons for 72 hours without being taken down, except to his meals and other purposes of necessity, but it was clearly proven that he had been guilty of gross insubordination threatening and insolence on that, as well as on many other occasions, and that he was a violent and dangerous man From the statements of the Warden and Chief Guard it just became a question whether the officers or the prisoner should be masters From the date of that punishment, the prisoner became one of the best behaved men in the Prison

' 6th The Acting Chief Guard was said to have knocked a prisoner's head against the wall until the blood came from his ears This the Acting Chief Guard denies and the Surgeon states that it is impossible that this could have been done without causing a fracture, which neither the Surgeon nor anyone else saw

'7th Three prisoners were placed in irons for insubordination and while in that position were exceedingly noisy and violent. Upon being visited by the Acting Chief Guard with a view to stopping the noise, and while the irons were being removed from

them in order to take them to another cell, it was clearly proven that two of them used the vilest language to the officer mentioned, and one of them kicked him. Under this provocation the Acting Chief Guard struck them with his clenched fist. All of these prisoners were proven to be violent men requiring frequent punishment.

"In the foregoing categories are comprised all the acts of cruelty that were brought to light, after a most patient investigation extending over two weeks, during which time every officer of the Prison was placed under oath and examined.

"To sum up in respect to these various charges, it would be absurd to designate what is referred to in the first and second categories as acts of cruelty, inasmuch as the same practices are being carried on every day in our Common Schools. They had, however, been stopped in the Central Prison a year prior to the investigation.

"With respect to what is comprised in the third category it is clear that so long as prisoners will feign sickness, prison officers will now and then make a mistake in their decisions in that relation. In order however that such mistakes of judgment may be reduced to the minimum, the Prison Surgeon has been directed to visit the Prison every morning at nine o'clock, so that every case of sickness reported may be pronounced upon by the proper medical officer of the Prison.

"It is much to be regretted that such harsh measures had to be adopted in the case of Lewis, in order to prevent him from disturbing the dormitories at night and breaking the cell furniture the more so as subsequent events proved that the prisoner must have been insane at the time. A short time previous to the occurrence, a prisoner had been transferred from the Prison to Rockwood Asylum under certificates of insanity, but after a very short observation on the part of the Medical Superintendent of that Asylum, he certified that the man was not and never had been insane although afflicted with an ungovernable temper. I have recommended that some better provision be made for the custody of violent and refractory prisoners and it is most desirable that when the Hospital is erected a room should be provided for insane prisoners pending their transfer to an asylum.

"That part of the charge in respect to the Acting Chief Guard striking the prisoner Lewis other than in self-defence, is reduced, as the statement shows, to a question of veracity between that officer and a witness.

"The class of prisoners referred to in the fifth category are found in all prisons, and although few in number, their stubborn and unyielding temper, and the pertinacity with which that spirit is maintained, even when they clearly know that they are in the wrong, constitute one of the most difficult problems that prison officers have to deal with. The punishment awarded in this particular case, severe as it had to be, had the desired effect, although in many prisons some of this class are almost constantly under punishment.

"It was in dealing with the prisoners alluded to in the seventh category that the Acting Chief Guard committed serious indiscretions as a prison officer but which, in the light of the facts elicited, cannot possibly be characterised as acts of cruelty. Under no circumstances, except in a clear and well-defined case of self-defence, should a prison official strike a prisoner. That the prisoners were beyond endurance, only showed the necessity and importance of the Guard controlling his own temper, and of using lawful means of punishment, which are always at his command.

'Before closing my remarks in connection with this subject, I desire to say that I wish it were possible for the discipline of the Prison to be maintained without inflicting physical pain, and that moral suasion and kindly admonishment alone could accomplish that object, but as far as I can ascertain, both agencies are necessary in all well regulated prisons. To well-behaved prisoners, however, and they comprise the large majority, there is no terror in the fact that dark cells and irons have to be resorted to, in order to keep the unruly and insubordinate under control.

"The severe check that the industrial operations of the Prison received through the failure of the Canada Car Company to carry out its original contract with the Government for the employment of the prisoners, has prevented me from inaugurating such a scheme of rewards and remission of sentences as will tend to encourage and promote good conduct and stimulate industrious habits on the part of the prisoners. Now however that the industrial success of the Prison bids fair to be permanently established, I trust that I will be warranted in submitting a scheme for the approval of the Government at an early day."

Date Due

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SEP 1 6 '72		
FEB 8 1983		
APR 1 2 1994		

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Criminology

Ontario. Provincial
Secretary's Dept.
Return to an address of
the Legislative Assembly
to the Lieut[illegible]nt-Governor

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Legislative Assembly
to the Lt.-Governor
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NOV 2 9 1966
Toronto 2276
Mr. Mattadee
FEB 2 8 1972
FEB 6 1967
Keith
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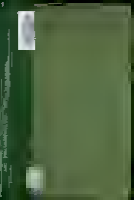

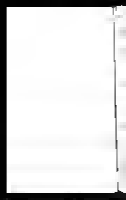

INDENTURE

This Indenture, made the [illegible] day of [illegible] One Thousand Nine Hundred and [illegible] between [illegible] of the First Part, and [illegible] of the Second Part.

Witnesseth, that the said party of the first part, for and in consideration of [illegible] Dollars, lawful money of the United States of America, to [illegible] in hand paid by the said party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, [illegible]

By Quitclaim,

[illegible]

Deed.

Dated, [illegible]

Recorded, [illegible]

Witness:

Name

Address

Phone

Email

Summary

Experience

Education

Skills

Certifications

Projects

Publications

Awards

Languages

Interests

References

Name

Address

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Summary

Experience

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Skills

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Interests

References

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Lot Block Subdivision Plan

Legal Description

Municipality

Mortgage

Number

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Number

Transfer

Date

Consideration

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Lease

This Indenture

Made the [illegible] day of [illegible] 1887

Between [illegible] of [illegible] in the County of [illegible] and State of [illegible] party of the first part and [illegible] of [illegible] in the County of [illegible] and State of [illegible] party of the second part

Witnesseth that the said party of the first part for and in consideration of the rents, covenants and agreements hereinafter mentioned, reserved and contained on the part of the said party of the second part, [illegible] executors, administrators and assigns, to be paid, kept and performed, has demised, leased and to farm let, and by these presents does demise, lease and to farm let unto the said party of the second part, [illegible] executors, administrators and assigns, [illegible] of land situate, lying and being in the [illegible] of [illegible] in the County of [illegible] and State of [illegible] and known as [illegible]

To have and to hold the said premises with the appurtenances unto the said party of the second part, [illegible] executors, administrators and assigns, from the [illegible] day of [illegible] 1887 for the term of [illegible] years thereafter next ensuing and fully to be complete and ended.

And the said party of the second part, [illegible] executors, administrators and assigns, in consideration of the premises, do hereby covenant, promise and agree to and with the said party of the first part, [illegible] executors, administrators and assigns, to pay unto the said party of the first part, [illegible] executors, administrators and assigns, the yearly rent of [illegible] dollars, payable [illegible] during the said term, without any deduction whatsoever.

And the said party of the second part, [illegible] executors, administrators and assigns, do hereby covenant, promise and agree to and with the said party of the first part, [illegible] executors, administrators and assigns, that [illegible] executors, administrators and assigns, will not assign this lease or underlet the said premises or any part thereof without the consent in writing of the said party of the first part, [illegible] executors, administrators and assigns, first had and obtained.

And the said party of the second part, [illegible] executors, administrators and assigns, do hereby covenant, promise and agree to and with the said party of the first part, [illegible] executors, administrators and assigns, that [illegible] executors, administrators and assigns, will not use the said premises for the purpose of [illegible] or for any other purpose than [illegible] without the consent in writing of the said party of the first part, [illegible] executors, administrators and assigns, first had and obtained.

And the said party of the second part, [illegible] executors, administrators and assigns, do hereby covenant, promise and agree to and with the said party of the first part, [illegible] executors, administrators and assigns, that [illegible] executors, administrators and assigns, will not [illegible] the said premises or any part thereof

Opening statement ... Closing ...

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[redacted]

[redacted]

[redacted]

Memorandum of Agreement made this [illegible] day of [illegible] 1919 between [illegible] of the one part and [illegible] of the other part.

Whereas the said [illegible] is the owner of the property hereinafter described and has agreed to sell the same to the said [illegible] for the sum of [illegible] dollars.

Now this agreement witnesseth that the said [illegible] agrees to sell and the said [illegible] agrees to purchase the property described as follows:

[illegible]

Subject to the following conditions:

1. [illegible]
2. [illegible]
3. [illegible]
4. [illegible]
5. [illegible]

The said [illegible] agrees to pay the said purchase money as follows:

[illegible]

And the said [illegible] agrees to convey the said property to the said [illegible] by a good and sufficient deed free from all encumbrances except as aforesaid.

In witness whereof the parties hereto have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of

[illegible]

[illegible]

Boston, January 1, 1866

Mr. Secretary Seward, Dear Sir, I have the honor to transmit herewith a Petition of Citizens of Boston, praying for the Pardon of Jefferson Davis, now confined in Fortress Monroe, Virginia, on a charge of Treason. The Petition is signed by Ministers of the Gospel, Professors in Colleges, Lawyers, Merchants, Mechanics, Laborers, and Men of all Professions and Occupations, and by Women of all Ages and Conditions. The Petition is signed by Men and Women who have been Loyal to the Government during the whole War, and who have given their Sons to the Army and Navy of the United States

Name of Deceased: [redacted]

Date of Death: [redacted]

Place of Death: [redacted]

Cause of Death: [redacted]

Age: [redacted]

Occupation: [redacted]

Residence: [redacted]

Survived by: [redacted]

Predeceased by: [redacted]

Funeral Arrangements: [redacted]

Interment: [redacted]

Pallbearers: [redacted]

Flowers: [redacted]

Memorial Contributions: [redacted]

Obituary: [redacted]

Notes: [redacted]

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Chapter 1000

Application Form

Date: [illegible]

Name: [illegible]

Address: [illegible]

Phone: [illegible]

Email: [illegible]

Position Applied For: [illegible]

Education

[illegible]

Experience

[illegible]

Skills

[illegible]

References

[illegible]

Signature: [illegible]

[illegible] Ltd. [illegible] Ltd. [illegible]

[illegible] Ltd. [illegible] Ltd. [illegible]

[illegible] Ltd. [illegible] Ltd. [illegible]

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Case 1:19-cv-00000-JKB Document 1-1 Filed 01/00/19 Page 2 of 3

Name: _____ Address: _____

Phone: _____ Email: _____

Name: _____ Address: _____

Phone: _____ Email: _____

Name: _____ Address: _____

Phone: _____ Email: _____

Name

Date

Subject

Dear

Sincerely,

Name

Date

Subject

Dear

Sincerely,

Name

Date

Subject

Dear

Sincerely,

[illegible] [illegible] [illegible] [

Name
Address
Phone
Email
Date
Subject
Dear
Thank you for your interest in
Enclosed is
Please
Sincerely,
Name
Title
Company
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Email
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Dear
Thank you for your interest in
Enclosed is
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THE NEW YORK CITY DIRECTORY.

[illegible] [illegible] [illegible] [

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Ex. 1

Ex. 2

Ex. 3

Date

Period

Unit 1 Test Review

Vocabulary

Define the following terms:

1. Point
2. Line
3. Plane
4. Collinear
5. Coplanar
6. Segment
7. Ray
8. Opposite rays
9. Intersection
10. Midpoint
11. Segment bisector
12. Angle
13. Vertex
14. Acute angle
15. Right angle
16. Obtuse angle
17. Straight angle
18. Congruent
19. Adjacent angles
20. Vertical angles
21. Linear pair
22. Complementary angles
23. Supplementary angles
24. Perpendicular
25. Perpendicular bisector
26. Distance
27. Angle bisector

Skills

Use the figure to name the following:

28. Name a point that is collinear with points A and B.
29. Name a point that is not coplanar with points A, B, and C.
30. Name a point that is not collinear with points A and B.
31. Name a point that is coplanar with points A, B, and C.
32. Name a point that is not coplanar with points A, B, and C.
33. Name a point that is collinear with points A and B.
34. Name a point that is not collinear with points A and B.
35. Name a point that is coplanar with points A, B, and C.
36. Name a point that is not coplanar with points A, B, and C.
37. Name a point that is collinear with points A and B.
38. Name a point that is not collinear with points A and B.
39. Name a point that is coplanar with points A, B, and C.
40. Name a point that is not coplanar with points A, B, and C.
41. Name a point that is collinear with points A and B.
42. Name a point that is not collinear with points A and B.
43. Name a point that is coplanar with points A, B, and C.
44. Name a point that is not coplanar with points A, B, and C.
45. Name a point that is collinear with points A and B.
46. Name a point that is not collinear with points A and B.
47. Name a point that is coplanar with points A, B, and C.
48. Name a point that is not coplanar with points A, B, and C.
49. Name a point that is collinear with points A and B.
50. Name a point that is not collinear with points A and B.

[illegible] [illegible] [illegible] [

[illegible]

[illegible]

[illegible]

Sincerely yours,

Alan Greenspan

Alan Greenspan
Chairman

Enclosure